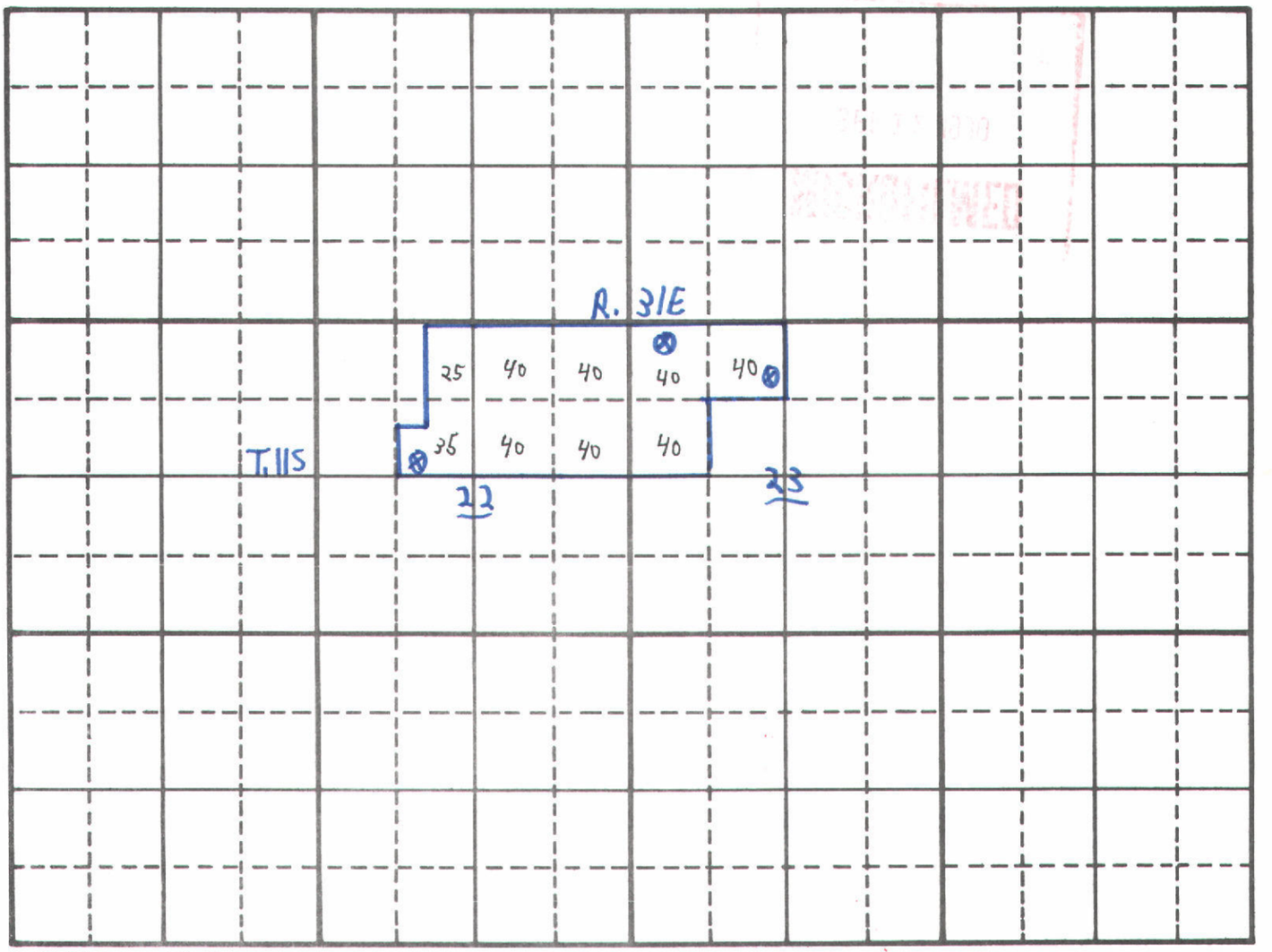
Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Twin Falls, this 13 day of June, 19 89.

Richard Haley (Partner)
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by DRJ Fee = $20.00 Receipted by JP Date 6-13-89 #5008154

Publication prepared by M.B. Date 6/26/89 Published in Power Co. Press

Publication dates 7/5 & 7/12/89

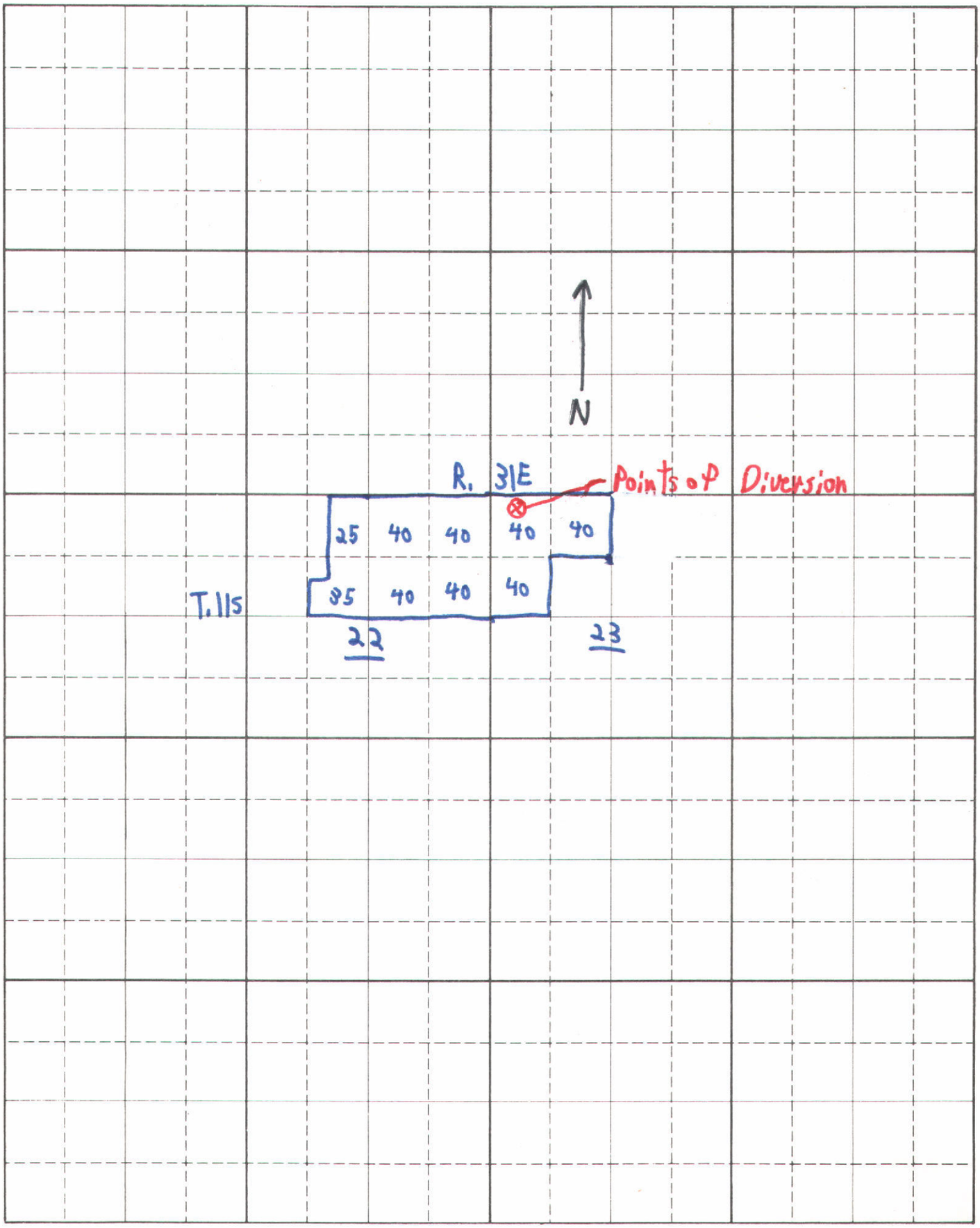
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, _____, of the Department of Water Resources hereby

MICROFILMED
SEP 12 1990

Witness my hand this _____ day of _____, 19 ____.

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Richard Udy (Partner)
(Applicant)
Grant Udy & Sons

Form 219
6/86

RECEIVED
NOV 15 1994
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 41-7028

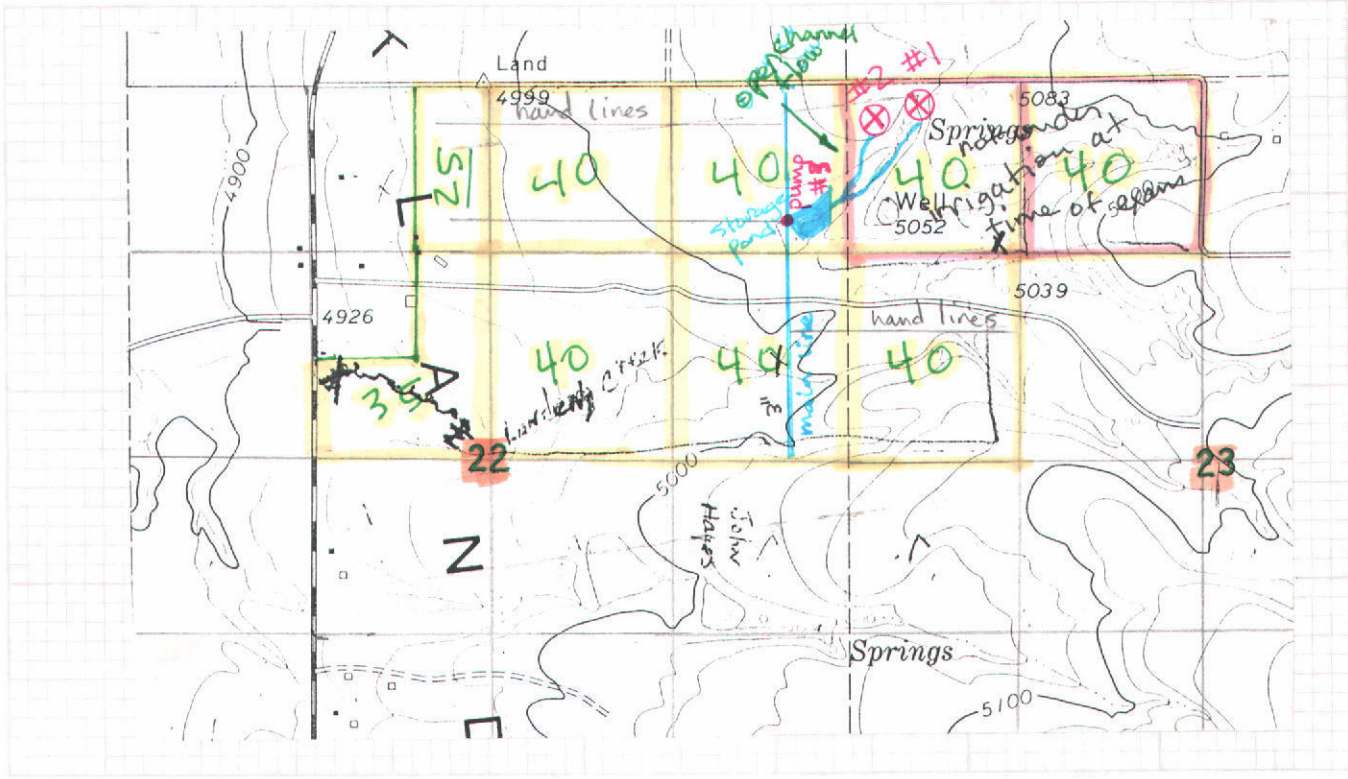
1. Owner: Grant Udy & Sons — Phone No. 548-2636
   Current Address: 5111 S. Hwy. 37 Rockland, ID 83271
2. Accompanied by: Richard Udy — EXAM. DATE: 6/11/91
   Address: _____ — Phone No. _____
   Relationship to Permit Holder: Son
3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: 41-02019, 41-02026, 41-00012
   ☒ Copies Attached
2. Other water rights with same point of diversion: 41-02026, 41-02019
   ☒ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = .25 mi.

2. ☒ Copy of U.S.G.S. Quadrangle Attached
   Showing location(s) of point(s) of diversion and place(s) of use (required).
   ☐ Aerial Photo Attached
   (required for irrigation of 10 acres or more).
   ☐ Photo of Diversion and System Attached
   (required for all but single household domestic groundwater, and stockwater.

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AUG 20 1998


NHEL
3-37.9
#439
Udy Bros
NHEL
4-47.8
NHEL
6-21.8
NHEL
5-50.2
2443
NHEL
20-
57.5
2442
2443
#439
Udy Bros.
OATS
NHEL
22-
57.9
#1210
Blaine Mitchell
(State of ID)
#1209
#57

T 576

Ferrif Kress

HEL 6-90.5

60.5

T 2122

Road

T 2129

T 680

NHEL 3-37.9

11

NHEL 2-20.7

NHEL 4-47.8

#439 Udy Bros

35

NHEL 6-21.8

NHEL 5-50.2

T 2443

NHEL

56.6

#57 Ferrif Kress

T 2442

T 2443

#439 Udy Bros.

20-HEL 57.5

#1210 Blaine Mitchell (State of ID)

Hartley Canyon Road

60.5

T-516

T-576

Jerry Kress

T-2443

T-22a

Mal

T-604

6.4

HEL

1-90.5

21 22

20 27

T600

NHEL 3- 37.9

#439 Udy Bros.

NHEL 2- 20.2

NHEL 4- 47.8

NHEL 6- 21.8

NHEL 7- 7.5

NHEL 5- 50.2

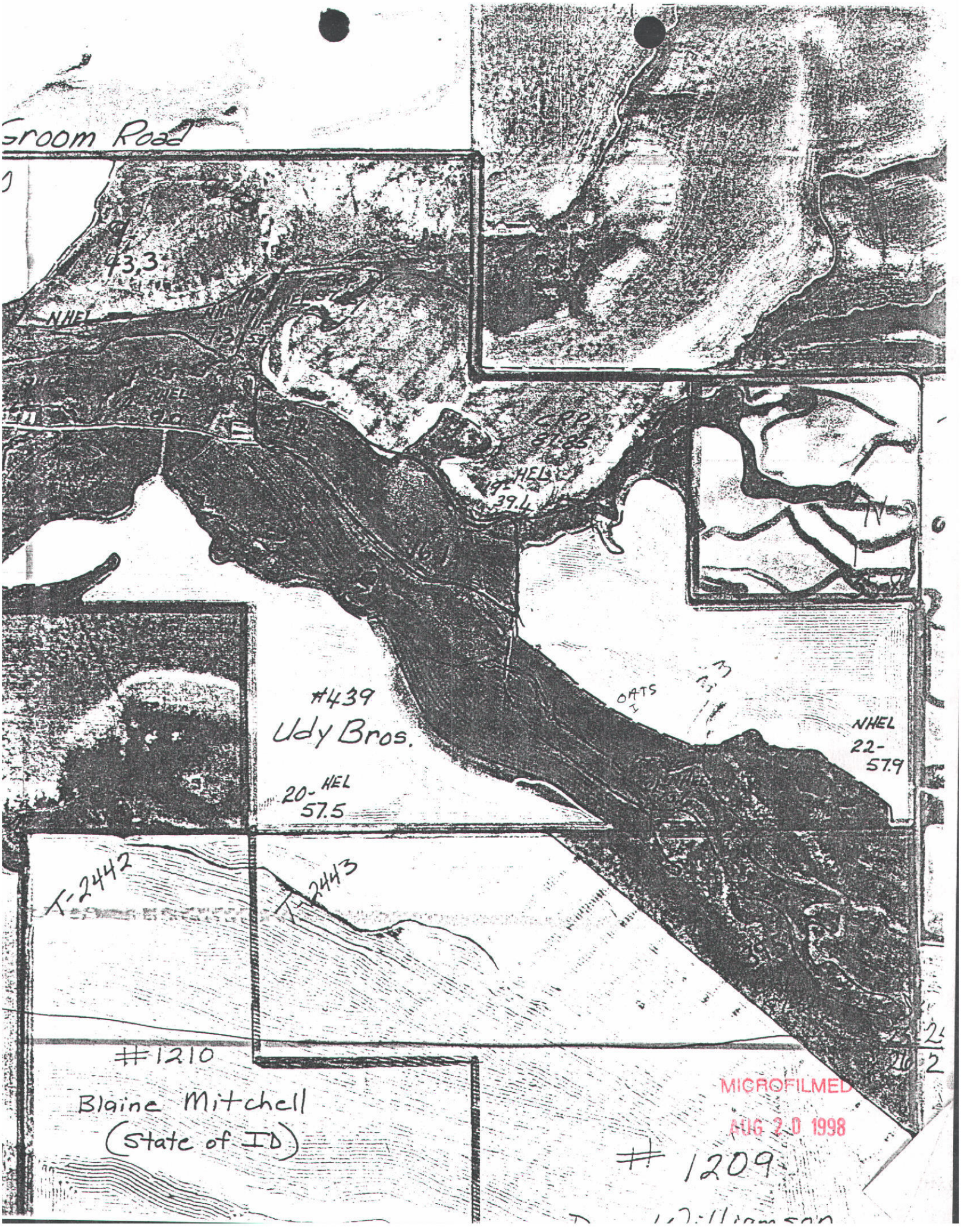
T-2443

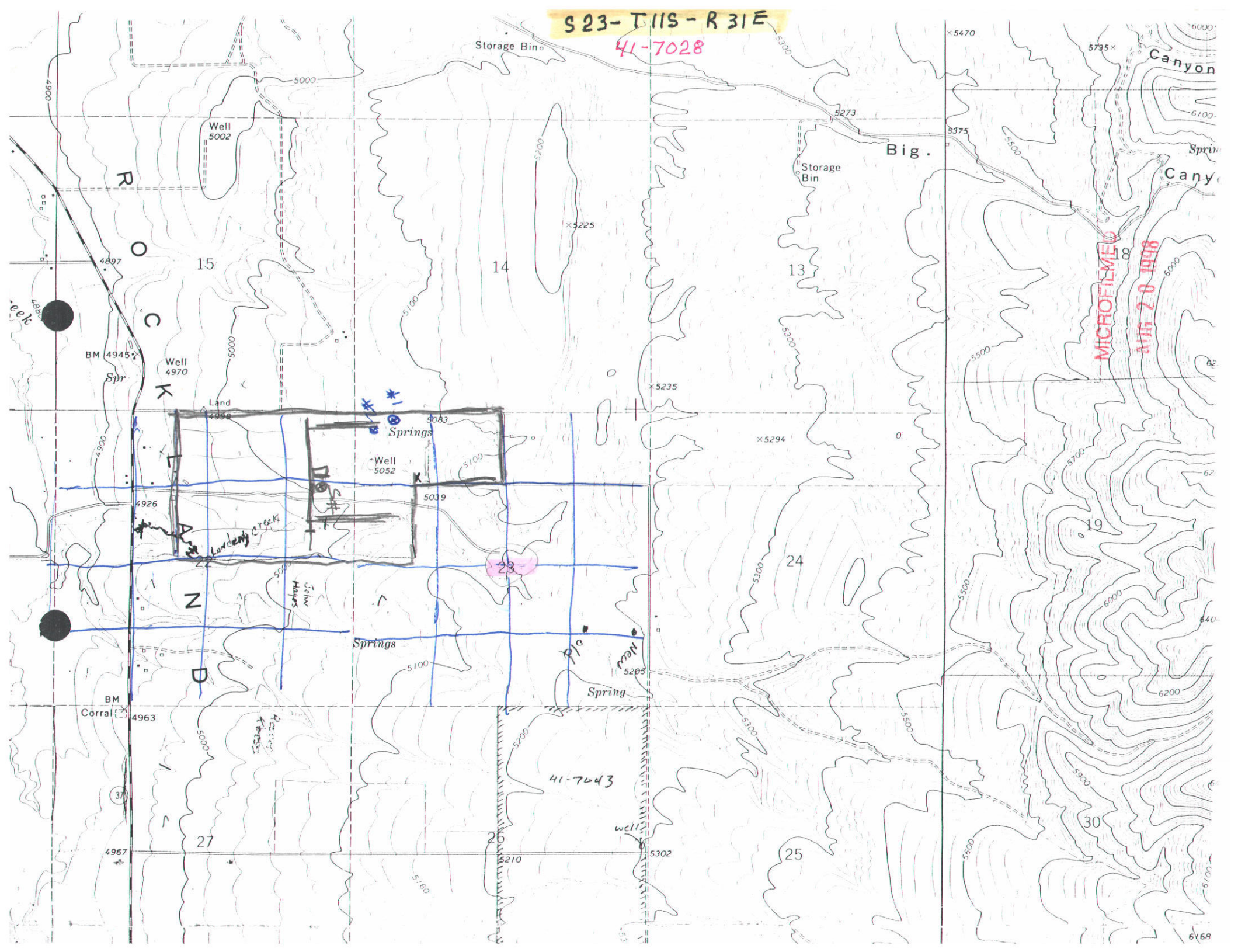
NHEL

T-366

#570 Jerry Kress

22 23 27 26


Groom Road
43.3
NHEL
CRP
51.85
NHEL
39.4
#439
Udy Bros.
OATS
NHEL
22-
57.9
20- NHEL
57.5
T-2442
2443
#1210
Blaine Mitchell
(State of ID)
#1209
MICROFILMED
AUG 20 1998


S 23 - T 11S - R 31E
41-7028
Storage Bin
Well 5002
Storage Bin
Big.
Canyon
Well 4970
BM 4945
Spr
Land
Springs
Well 5052
Landusky Creek
Springs
Spring
BM Corral
4963
41-7043
well
MICROFILMED
JUL 20 1998

91-07028





MICROFILMED
AUG 2 0 1998

41-07028



MICROFILMED

AUG 2 0 1998

91-07028



MICROFILMED
AUG 2 0 1998

91-07028



MICROFILMED
AUG 2 0 1998

41 2026

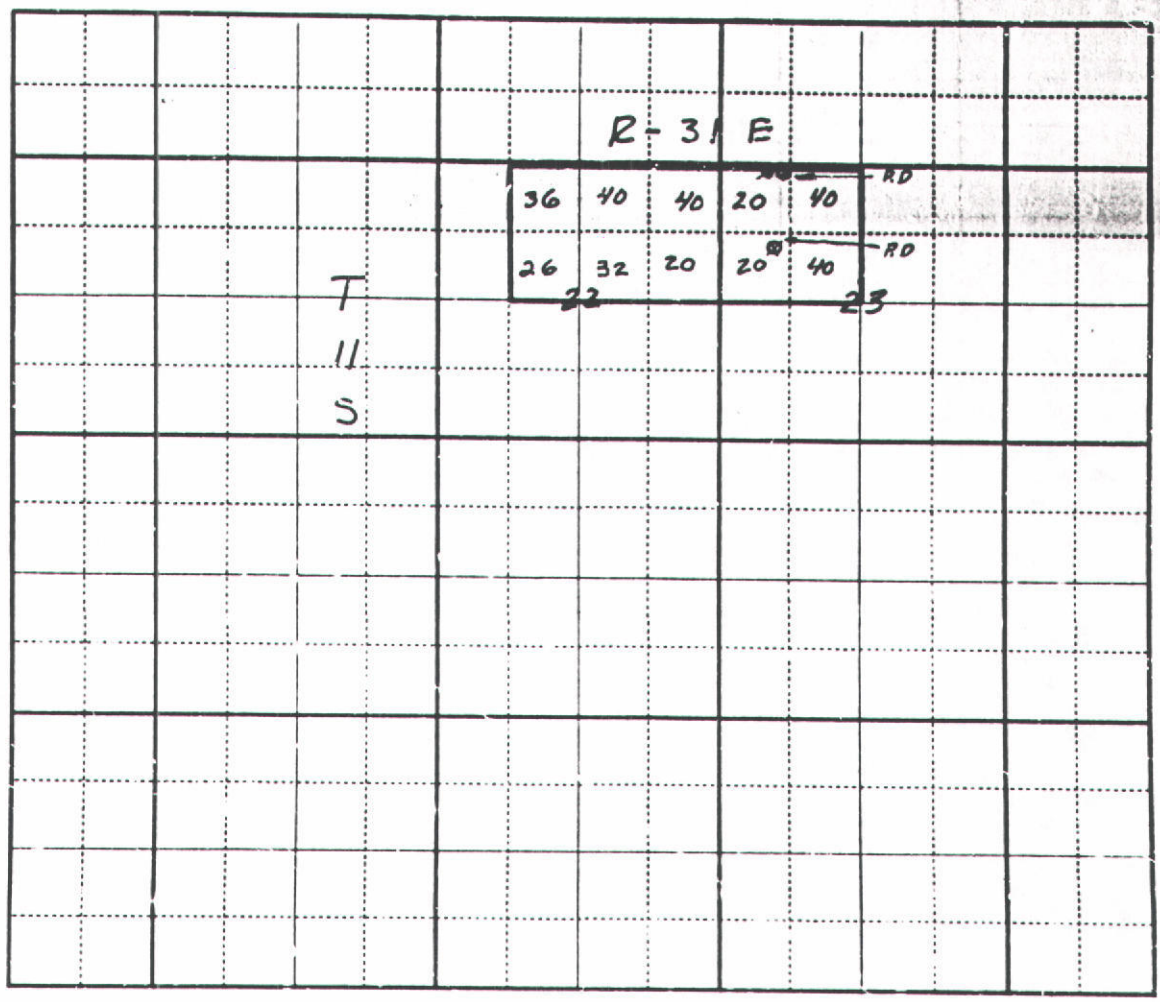
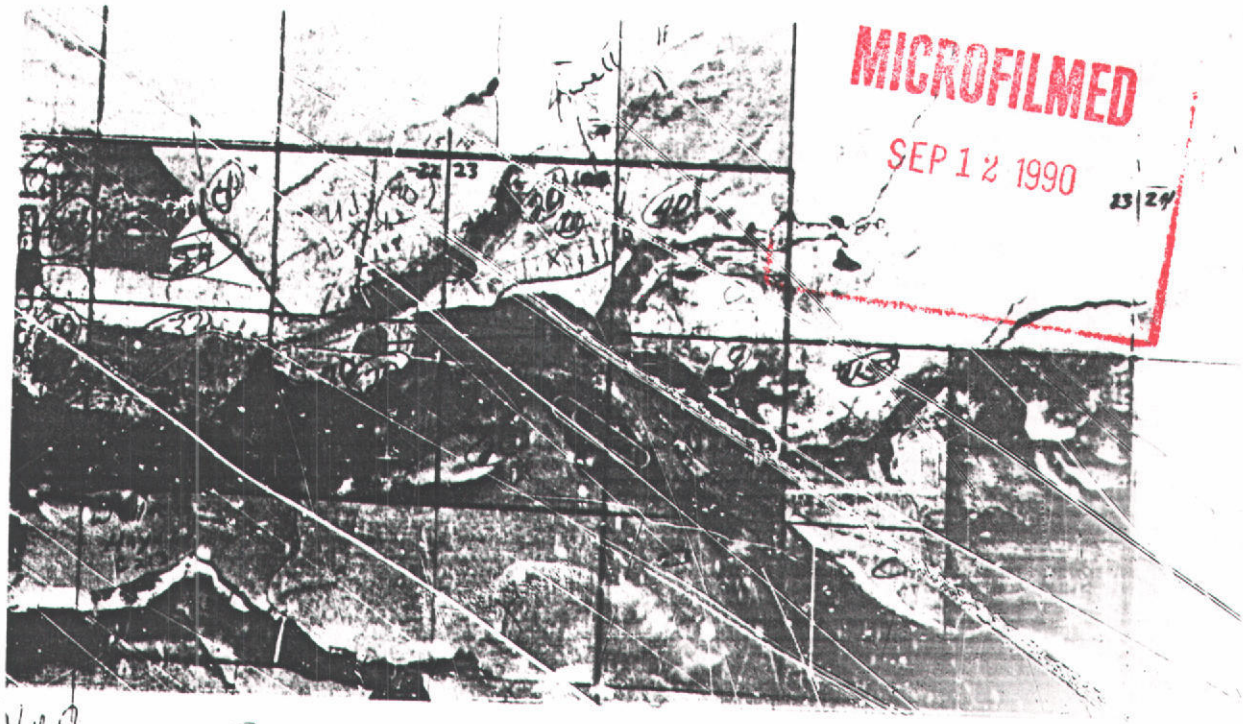


Diagram of System



USE TYPEWRITER OR BALL POINT PEN

State of Idaho
Department of Water Resources

RECEIVED
JAN 5 1977
Department of Water Resources
Southern District Office

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNER

Name RICHARD UDY

Address ROCKLAND IDAHO

Owner's Permit No. 41-7016

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement

☐ Abandoned (describe method of abandoning)

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test ☐ Other (specify type)

☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or injection

4. METHOD DRILLED

☒ Cable ☐ Rotary ☐ Dug ☐ Other

5. WELL CONSTRUCTION

Diameter of hole 10 inches Total depth 175 feet

Casing schedule: ☒ Steel ☐ Concrete

Thickness	Diameter	From	To
¼ inches	10 3/4 inches	1 feet	81 feet
____ inches	____ inches	____ feet	____ feet
____ inches	____ inches	____ feet	____ feet
____ inches	____ inches	____ feet	____ feet
____ inches	____ inches	____ feet	____ feet

Was casing drive shoe used? ☒ Yes ☐ No

Was a packer or seal used? ☐ Yes ☐ No

Perforated? ☒ Yes ☐ No

How perforated? ☐ Factory ☒ Knife ☐ Torch

Size of perforation ¼ inches by 2 inches

Number		From	To
10 rows	perforations	69 feet	79 feet
____	perforations	____ feet	____ feet
____	perforations	____ feet	____ feet

Well screen installed? ☐ Yes ☐ No

Manufacturer's name ____

Type ____ Model No. ____

Diameter ___ Slot size ___ Set from ___ feet to ___ feet

Diameter ___ Slot size ___ Set from ___ feet to ___ feet

Gravel packed? ☐ Yes ☐ No Size of gravel ____

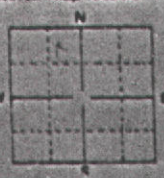
Placed from ____ feet to ____ feet

Surface seal depth 20 Material used in seal ☐ Cement grout ☐ Puddling clay ☒ Well cuttings

Seating procedure used ☐ Slurry pit ☐ Temporary surface casing ☒ Overbore to seal depth

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name ____

Lot No. ____ Block No. ____

County ____

NE ¼ NW ¼ Sec. 22 T. 11 N/S, R. 13 E/W

7. WATER LEVEL

Static water level 25 feet below land surface

Flowing? ☐ Yes ☐ No G.P.M. flow ____

Temperature ____ ° F. Quality ____

Artesian closed-in pressure ____ lbs.

Controlled by ☐ Valve ☐ Cap ☐ Plug

8. WELL TEST DATA

☐ Pump ☒ Bailer ☐ Other

Discharge G.P.M.	Draw Down	Hours Pumped

9. LITHOLOGIC LOG

Hole Diam.	Depth From	Depth To	Material	Water Yes/No
16	0	22	brown sand	
	22	26	white clay	
	26	58	clay & some gravel	
10	58	63	brown sand & gravel	
	63	70	gravel	X
	70	175	brown sandy clay	

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SEP 12 1990

10.

Work started 12-10-75 finished 12-23-75

11. DRILLERS CERTIFICATION

Firm Name HERMAN COUCH WELL DRILLING 161

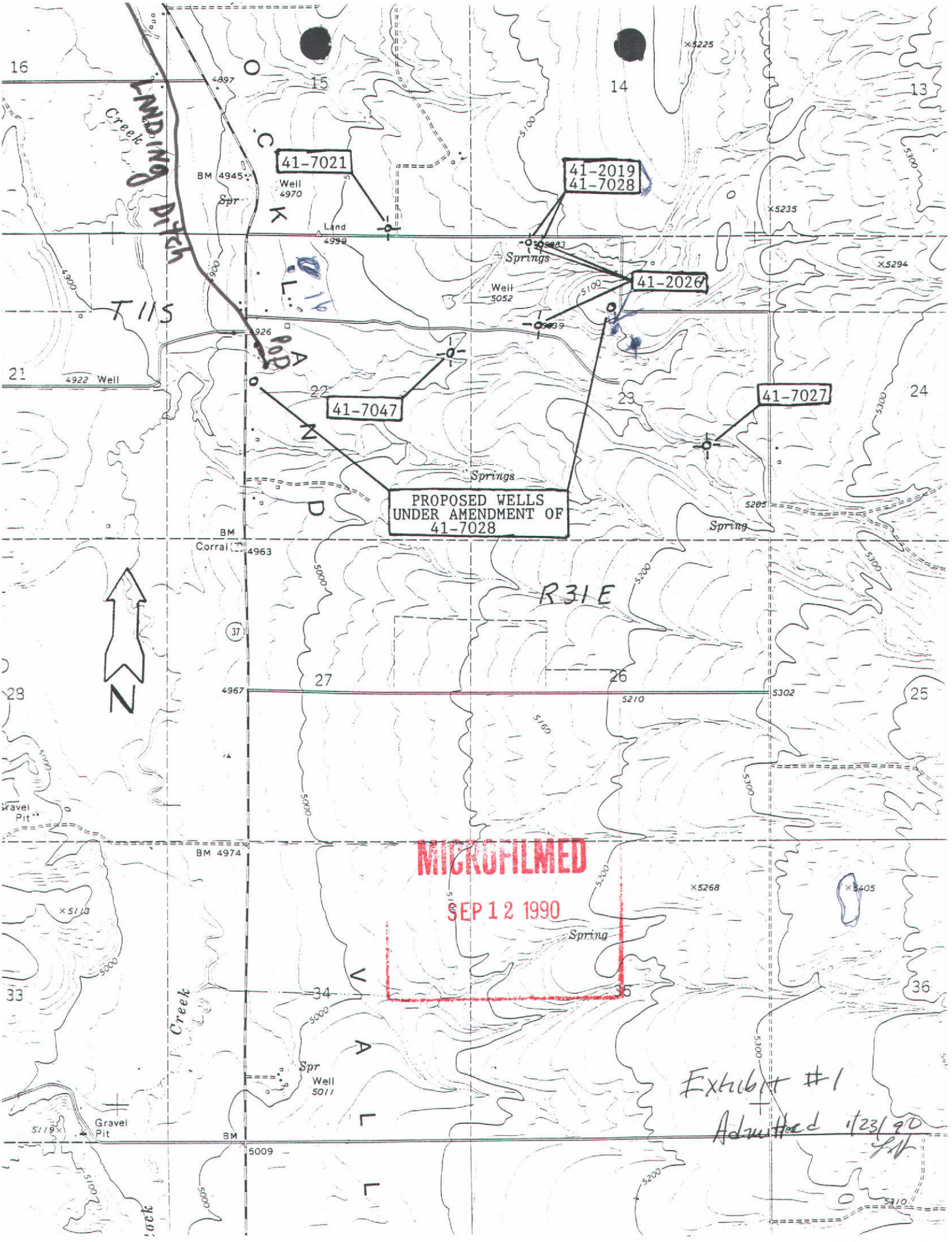
Address 340 Wauna View Dr. Burbank, Wa. 99323

Signed by (Firm Official) Herman Couch

and

(Operator) Roger Hayden

USE ADDITIONAL SHEETS IF NECESSARY FORWARD THE WHITE COPY TO THE DEPARTMENT


41-7021
41-2019
41-7028
41-2026
41-7047
41-7027
PROPOSED WELLS
UNDER AMENDMENT OF
41-7028
T11S
R31E
LANDING DITCH
ROCK CREEK
ROCK VALLEY
Springs
Spring
Well
Gravel Pit
BM
Corral
Land
MICROFILMED
SEP 12 1990
Exhibit #1
Admitted 1/23/90





WELL LOG

From Feet	To Feet	Type of Material	Drilling Time Hrs.	Drilling Time Min.	Water-bearing Formation Ans. Yes or No	Casing Perforated Ans. Yes or No
0	30	brown clay			no	
30	35	gravel			yes	
35	170	clay and gravel			yes	
170	240	red clay			no	
		If more space is required use Sheet No. 2				

WELL DRILLERS STATEMENT

This well was drilled under my jurisdiction and the above information is true and correct to the best of my knowledge and belief.

Signed Paul Tallmen & Son

By M. Hand

Dated July 23, 1941.

License No. 171

REPORT OF WELL DRILLER
State of Idaho

State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:
Name GRANT & LLOYD UDY
Address ROCKLAND IDAHO

Owner's Permit No. 2-32145
NATURE OF WORK (check): Replacement well ☐
New well ☒ Deepened ☐ Abandoned ☐

Water is to be used for: IRRIGATION

METHOD OF CONSTRUCTION: Rotary ☒ Cable ☐
Dug ☐ Other ☐ (explain)

CASING SCHEDULE: Threaded ☐ Welded ☒
4" "Diam. from 0 ft. to 88 ft.
____ "Diam. from ____ ft. to ____ ft.
____ "Diam. from ____ ft. to ____ ft.
____ "Diam. from ____ ft. to ____ ft.
Thickness of casing: .188 Material:
Steel ☒ concrete ☐ wood ☐ other ☐ (explain)

PERFORATED? Yes ☒ No ☐ Type of perforator used: TORCH

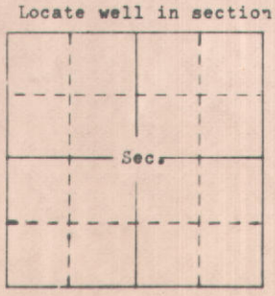
Size of perforations: ¼ " by 5 "
40 perforations from 80 ft. to 88 ft.
____ perforations from ____ ft. to ____ ft.
____ perforations from ____ ft. to ____ ft.
____ perforations from ____ ft. to ____ ft.
WAS SCREEN INSTALLED? Yes ☐ No ☒
Manufacturer's name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

CONSTRUCTION: Well gravel packed? Yes ☒ No ☐ size of gravel ¾ Gravel placed from 20 ft. to 88 ft. Surface seal provided? Yes ☒ No ☐ To what depth? 20 ft. Material used in seal: CEMENT

Did any strata contain unusable water? Yes ☐ No. ☒ Type of water:
Depth of strata ft. Method of sealing strata off:

Surface casing used? Yes ☐ No. ☒
Cemented in place? Yes ☐ No ☐

Locate well in section



LOCATION OF WELL: County POWER
NW ¼ NW ¼ Sec. 23 T. 11 N/S R. 31 E/W

Use other side for additional remarks

Size of drilled hole: 9" Total depth of well: 88' Standing water level below ground: FLOW Temp. Fahr. ° Test delivery: gpm or cfs Pump? ☐ Bail ☐
Size of pump and motor used to make test:

Length of time of test: Hrs. Min.
Drawdown: ft. Artesian pressure: ft. above land surface Give flow cfs or 130 gpm. Shutoff pressure:
Controlled by: Valve ☒ Cap ☐ Plug ☐
No control ☐ Does well leak around casing? Yes ☐ No ☒

DEPTH FROM FEET	DEPTH TO FEET	MATERIAL	WATER YES OR NO
0	1	SOIL	
1	17	CLAY	
17	21	GRAVELLY CLAY	
21	83	CLAY	
83	94	GRAVEL (FLOW)	YES

Work started: 9/25/64
Work finished: 8/27/64

Well Driller's Statement: This well was drilled under my supervision and this report is true to the best of my knowledge.
Name: Bernard H. Gardner
Address: 147 SO. MAIN ST. MALAD, IDAHO
Signed by: Bernard Gardner
License No. 322 Date: 10/5/64

USGS MICROFILMED

41

Form 238-7
1-78

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

USE TYPEWRITER OR BALLPOINT PEN

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNER

Name Cody Bros. Farm

Address Rockland, Idaho

Owner's Permit No. _____

2. NATURE OF WORK

☐ New well ☐ Deepened ☒ Replacement
☐ Abandoned (describe method of abandoning) _____

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☒ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other

Thickness	Diameter	From	To
5/16-.250 inches	16" inches	+ 18" feet	146 feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☐ Yes ☐ No
Was a packer or seal used? ☐ Yes ☐ No
Perforated? ☒ Yes ☐ No
How perforated? ☐ Factory ☒ Knife ☐ Torch
Size of perforation 3/8 inches by 3 inches

Number	From	To
140 perforations	92 feet	120 feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☒ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter ___ Slot size ___ Set from ___ feet to ___ feet
Diameter ___ Slot size ___ Set from ___ feet to ___ feet
Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet
Surface seal depth 20 Material used in seal: ☐ Cement grout ☐ Puddling clay ☒ Well cuttings
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☒ Overbore to seal depth
Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld ☐ Cemented between strata
Describe access port 2" Pipe 90°. Side

6. LOCATION OF WELL

Sketch map location must agree with written location.

14

N / W / E

Subdivision Name _____
Lot No. _____ Block No. _____

County Power

NW ¼ SE ¼ Sec. 23, T. 11 ☐S. R. 31 ☒E.

NW4

7. WATER LEVEL

Static water level 4 feet below land surface
Flowing? ☐ Yes ☐ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature 46 °F. Quality _____

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped
NONE		

9. LITHOLOGIC LOG

Hole Diam.	Depth From	Depth To	Material	Water Yes	Water No
16"	0	14	Brown Clay		X
	14	28	Gravel	X	
	28	88	Clay		X
	88	118	Gravel	X	
	118	146	Sticky Brown Clay		X

10. Work started May 3 1977 Finished May 17 1977

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Jack Cashman Drilling Co. 94
Address 152 S. Liberty Blvd Date 5-17-77
Signed by (Firm Official) _____
and
(Operator) _____

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

DISAPPROVED

BELL & HOWELL SAFETY

REPORT OF WELL DRILLER
State of Idaho

State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:
Name GRANT + LLOYD UDY
Address ROCKLAND IDAHO

Owner's Permit No. 7-2345
NATURE OF WORK (check): Replacement well ☐
New well ☒ Deepened ☐ Abandoned ☐
Water is to be used for: IRRIGATION
METHOD OF CONSTRUCTION: Rotary ☒ Cable ☐
Dug ☐ Other ____ (explain)
CASING SCHEDULE: Threaded ☐ Welded ☒
4" Diam. from 0 ft. to 106 ft.
____ Diam. from ____ ft. to ____ ft.
____ Diam. from ____ ft. to ____ ft.
____ Diam. from ____ ft. to ____ ft.
Thickness of casing: .188 Material:
Steel ☒ concrete ☐ wood ☐ other ☐

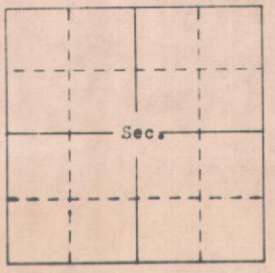
PERFORATED? Yes ☒ No ☐ Type of perforator used: TORCH (explain)
Size of perforations: 1/4 " by 5 "
60 perforations from 99 ft. to 101 ft.
____ perforations from ____ ft. to ____ ft.
____ perforations from ____ ft. to ____ ft.
____ perforations from ____ ft. to ____ ft.
WAS SCREEN INSTALLED? Yes ☐ No ☒
Manufacturer's name ____
Type ____ Model No. ____
Diam. ____ Slot size ____ Set from ____ ft. to ____ ft.
Diam. ____ Slot size ____ Set from ____ ft. to ____ ft.

CONSTRUCTION: Well gravel packed? Yes ☒ No. ☐ size of gravel 1/8 Gravel placed from 20 ft. to 106 ft. Surface seal provided? Yes ☒ No ☐ To what depth? 20 ft. Material used in seal: CEMENT

Did any strata contain unusable water? Yes ☐
No. ☒ Type of water: ____
Depth of strata ____ ft. Method of sealing strata off: ____

Surface casing used? Yes ☐ No. ☒
Cemented in place? Yes ☐ No ☐

Locate well in section



LOCATION OF WELL: County POWER
NW ¼ SE ¼ Sec. 23 T. 11 ☒ S R. 31 E ☐
NW

Use other side for additional remarks

Size of drilled hole: 9" Total depth of well: 106 Standing water level below ground: FLOW Temp. ____ Fahr. ____ ° Test delivery: ____ gpm or ____ cfs Pump? ☐ Bail ☐
Size of pump and motor used to make test: ____
Length of time of test: ____ Hrs. ____ Min.
Drawdown: ____ ft. Artesian pressure: ____ ft. above land surface ____ Give flow ____ cfs or 120 gpm. Shutoff pressure: ____
Controlled by: Valve ☒ Cap ☐ Plug ☐
No control ☐ Does well leak around casing?
Yes ☐ No ☒

DEPTH FROM FEET	DEPTH TO FEET	MATERIAL	WATER YES OR NO
0	1	SOIL	
1	12	CLAY	
12	19	GRAVEL	no
19	35	CLAY	
35	37	GRAVEL	yes
37	39	CLAY	
39	41	GRAVELLY CLAY	
41	77	CLAY	
77	84	GRAVELLY CLAY	
84	90	CLAY	
90	100	GRAVEL (FLOW)	yes
100	106	CLAY	

Work started: 9/3/66
Work finished: 9/5/66
Well Driller's Statement: This well was drilled under my supervision and this report is true to the best of my knowledge.
Name: Bernard Gardner
Address: 147 So. MAIN ST. MALAD, IDAHO
Signed by: Bernard H. Gardner
License No. 322 Date: 10/5/67

USGS

41

MICROFILMED

548-2362 – John N Robertson
Robinson

2Nd on, rt

11.3 1E
15.4 2F
225 Rec

School – Paul Wilford
Theater Hall 10[00]
old Post office

84.9
72.4

40y wells drilled by ? Mouth walls Early 60s
#1 flowing 1-5 for 9 inches on 220ft tot depth
Cased all the way – Plan to perforate at about 50ft
and down – Can see in observation about 4 ft down at
Pump near bottom drawn down
#2 140ft tot depth has motor pump lies for
flow only – Pumps about 50 inches drawn down
flowing well about 3 to 4 ft

#3 well is perforated by surface is
not tapped 150ft to bedrock water
stands at about 4ft below LSD
Drilled Doug Cashman of Blackfoot

NESW

#4,5,6 are being used & are housed – driller Gardner for Malad

Check on well south of place

well logs SW NW 23 16" by Paul Vollmer & Sons Aberdeen
252 gpm flowing Cased to 178ft TD 240ft Water from 80 to 170

NW SE Sec 23 4" Casing to 106ft 60 perf from 89 – 101 ft
gravel packed – 9" hole 106ft deep flowing 124 gpm water at 90 – 100 35-37?

NW NW Sec 23 Cased from 0-86 4" 40 perf. from 80-88 ft
gravel packed from 20 to 89ft 9" hole flowing at 130 gpm water at 83-94
TD 94ft

MICROFILMED

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 41-07028

Priority: August 15, 1977 — Maximum Diversion Rate: 1.48 CFS; Maximum Diversion Volume: 638.1 AF

This is to certify, that GRANT UDY & SONS
5111 S HWY 37
ROCKLAND ID 83271 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 15, 1977; and has submitted Proof of Beneficial Use on October 25, 1990. An examination indicates that the works have a diversion capacity of 1.480 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	04/01 to 10/31	1.48 CFS	627.1 AF
IRRIGATION STORAGE	01/01 to 12/31		11.0 AF
IRRIGATION FROM STORAGE	04/01 to 10/31		11.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	1.48 CFS	
	Totals	1.48 CFS	638.1 AF

LOCATION OF POINT(S) OF DIVERSION: NWNW , Sec. 23, Township 11S, Range 31E
POWER County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
11S	31E	22	NENE	35	NWNE	40	SWNE	39	
			SENE	39	NENW	11	SENW	30	194
		23	SWNW	39					39

Total number of acres irrigated: 233

PLACE OF USE:
IRRIGATION FROM STORAGE, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

MICROFILMED
AUG 2 0 1998

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 41-07028

CONDITIONS OF APPROVAL AND REMARKS

5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. Rights 41-02019, 41-02026 and 41-07028 when combined shall not exceed a total diversion rate of 1.48 cfs and a total annual maximum diversion volume of 932.0 af at the field headgate for irrigation of 233 acres identified above.
7. Rights 41-02019 and 41-02026 are also diverted through the point(s) of diversion described above.
8. Two points of diversion are located within NWNW, S23, T11S, R31E.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 10th day of August, 1998.

Acting for KARL J. DREHER, Director

MICROFILMED

AUG 20 1998

Form 217
08/89

For Office Use Only
Amt. of Fee $ 125
Date 10/25/90
Receipt No. 5012776
Received by DRJ

RECEIVED
OCT 25 1990
Department of Water Resources
Southern Region Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 41-7028 Telephone No. 548-2636

Name(s) of Permit Holder(s): Grant Udy & Sons

Post Office Address: 5111 S Hwy 37, Rockland, ID 83271

Source of Water: Groundwater

If ground water, well driller's name: Murdock Date drilled: early 60's

Extent of Use:

Domestic _____ (No. of households) Irrigation 200 (No. of acres)

Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 2.00 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 6/1/90

One of the following may be a condition of approval of your permit:

Measuring device: Required? __Yes __No Installed? __Yes __No

OR

Flow Measurement Port: Required? X Yes __No Installed? * __Yes __No

* See attached waiver request (Does not need to be changed.)

Fee Enclosed: $ 125 (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

Grant Udy — same as above
Name Telephone No.

Address

MICROFILMED
JAN 07 1991

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

10/25/90 Richard Udy Partner
Date Signature (and title if on behalf of a company or organization)

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION TO	
APPROPRIATE WATER NO. 41-07028	**ORDER ADOPTING PROPOSED MEMORANDUM DECISION AND ORDER**
IN THE NAME OF GRANT UDY & SONS	

A Proposed Memorandum Decision and Order in the above-captioned matter has been issued and a copy served on the parties;

WHEREAS, more than fifteen days have passed since the service of the Proposed Memorandum Decision and Order; and,

WHEREAS, no exception to that Proposed Memorandum Decision and Order has been received;

IT IS, THEREFORE, HEREBY ORDERED that said Proposed Memorandum Decision and Order be adopted and issued as the Final Decision and Order.

IT IS FURTHER ORDERED that the time within which to submit proof of beneficial use is extended to November 1, 1990.

Dated this 6TH day of August, 1990.

R. KEITH HIGGINSON
Director

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SEP 12 1990

CERTIFICATE OF MAILING

I hereby certify that on this 9th day of August, 1990, I mailed a true and correct copy of the Order Adopting Proposed Memorandum Decision and Order, postage prepaid, to the following individuals:

Grant Udy & Sons
5111 S. Hwy 37
Rockland, ID 83271

Ben Cavaness
P.O. Box 70
American Falls, ID 83211

Richard Nelson
P.O. Box 335
Rockland, ID 83271

IDWR - Southern Region

Landing Ditch Waterusers
4846 Hwy 37
Rockland, ID 83271

James Robinson
P.O. Box 157
Rockland, ID 83271

Ray Rigby
25 North Second East
P.O. Box 250
Rexburg, ID 83440

Jennifer Seifert
JENNIFER SEIFERT
Clerical Assistant

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SEP 12 1990

BEFORE THE DIRECTOR OF THE DEPARTMENT

OF WATER RESOURCES OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR AMENDMENT OF PERMIT NO. 41-07028 IN THE NAME OF GRANT UDY & SONS

ORDER ISSUING PROPOSED MEMORANDUM DECISION

R. Keith Higginson, Director of the Department of Water Resources, having reviewed the attached proposed decision prepared by his appointee, Gary Spackman, who conducted the hearing or who has read the record in the this case, hereby approves the same as a proposed decision pursuant to Idaho Code, Sec. 67-5211.

Each party to these proceedings who appeared at the hearing is given the opportunity, pursuant to Idaho Code, Sec. 42-1701A and 67-5211, to file exceptions to the proposed decision and to present briefs and oral arguments. If no timely and proper exceptions are received, an order by the Director will be entered adopting the proposed decision as his final decision.

I.
EXCEPTIONS

A. To be considered by the Director, exceptions must:

1. be received by the Director on or before the 15th day following the day of service of this Order and the proposed decision,

2. specifically identify the portions of the proposed decision to which exceptions are made and specifically state the grounds for those exceptions, and

3. be sent to each of the parties who appeared or their attorneys.

II.
BRIEFS

A. Any briefs in support of exceptions to the proposed decision shall be filed with the Director at the same time that party's exceptions are filed with the Director.

B. All response briefs to the exceptions must be filed with the Director within 15 days after the exceptions were served upon the responding party.

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III.

A. No oral arguments before the Director on the proposed decision will be held unless specifically requested by a party filing exceptions to the proposed decision and unless that request is filed with the Director concurrently with the filing of that party's exception.

B. If oral arguments have been properly requested by a party filing exceptions, any other party, upon reasonable notice to the Director, shall have the right to present oral argument in response to the exceptions filed.

C. Oral arguments before the Director on exceptions to the proposed decision shall be heard at the discretion of the Director, pursuant to Idaho Code, Sec. 42-1701A. If oral arguments are to be heard, the Director will, within a reasonable time, notify each party of the place, date and hour the oral arguments will take place and of the period of time allocated for the arguments of this case. Unless the Director orders otherwise, all oral arguments shall be heard in Boise, Idaho.

IV.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests oral arguments and other matters filed with the Director in connection with the proposed decision shall be served on all other parties to these proceedings in accordance with Rule 7.2.

V.

FINAL DECISION

Following the submission of all exceptions, briefs and oral arguments, if they are heard, the Director shall issue a final decision adopting, modifying or rejecting and replacing the proposed decision. Copies of the decision and order shall be served on all parties.

Dated this 22nd day of March, 1990.

R. KEITH HIGGINSON
Director

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BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR AMENDMENT OF PERMIT NO. 41-07028 IN THE NAME OF GRANT UDY & SONS	PROPOSED MEMORANDUM DECISION AND ORDER

Protests having been filed against application for amendment of permit no. 41-07028, and a hearing having been held, the hearing officer, as a representative of the Director of the Department of Water Resources, finds, concludes and orders as follows:

FINDINGS OF FACT

1. On August 15, 1977, Grant Udy & Sons (Udy) filed an application to appropriate ground water with the Department of Water Resources (Department) which was assigned water right no. 41-07028.

2. The application was protested, and the Department issued a decision based on information presented at a conference attended by the parties.

3. The application sought appropriation of water from two existing irrigation wells. The applicant sought to increase the amount of water diverted from the existing wells by 2.0 cubic feet per second (cfs). The existing wells are located in the SW1/4SW1/4, Section 23, T11S, R31E, B.M.

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SEP 12 1990

4. The Department approved the application for permit, but required that the existing wells be cased through the shallow aquifer and into the first confining layer.

5. Proof of beneficial use was due on January 1, 1986. In December, 1985, the permit holder filed a request for extension of time to submit proof of beneficial use with the Department. The applicant represented that substantial work had been completed on the wells, but that a pump had not been installed. The time for submittal of proof of beneficial use was extended to September 1, 1990.

6. In June, 1989, Udy filed an application for amendment of permit no. 41-07028. The application proposed points of diversion in the NW1/4NW1/4, and the NE1/4NW1/4, Section 23, and a third point of diversion in the SE1/4NW1/4, Section 22, all within T11S, R31E, B.M. It appears from the application that the applicant intended to abandon one of the previous points of diversions, and add two additional points of diversion.

7. The application for amendment was advertised, and was protested by 7UD Ranches, Bench Ditch Company, U.S. Ditch Company, and the Landing Ditch waterusers.

8. A conference was conducted in American Falls on November 16, 1989. A hearing was subsequently held on January 23, 1990. James Robinson appeared representing Bench Ditch Company. Richard Nelson appeared representing the U.S. Ditch Company. Ben Cavaness, attorney at law, represented the Landing Ditch waterusers. Richard Udy represented the applicants.

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9. Because of their close proximity to each other, the two existing wells could not be pumped at the same time without interference.

10. The application for amendment proposes two additional points of diversion so that the entire flow rate authorized by permit no. 41-7028 can be developed.

11. Richard Udy testified that he would attempt to intercept a different "vein" of water with the two new wells than the "vein" tapped by the two existing wells located in the NW1/4NW1/4 of Section 23. He concluded that the water he seeks to intercept in the amendment is different water than he is intercepting with the two existing wells.

12. A report of the hydrology of the Rockland Basin, Water Resources of Rockland Basin, Southeastern Idaho, U.S. Geological Survey Open File Report 82-755 (1982), was recognized by the hearing officer at the hearing. The report concludes that the ground water in the Rockland Basin contributes directly to surface flows in Rock Creek. Rock Creek is a gaining stream through most of its length.

13. James Robinson testified that in other areas of the Rockland Basin, wells have dewatered nearby springs to the detriment of earlier in time surface water rights.

14. There are springs in the vicinity of the proposed points of diversion which discharge from the ground water to a surface source. These springs would be detrimentally affected by withdrawal of water from the proposed points of diversion.

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15. Richard Udy testified that the two existing wells located in the NW1/4NW1/4 of Section 23 had been developed in the 60's and a pump had been installed in the east well. He also stated that the only work that had been performed on the existing wells during the duration of permit 41-07028 was the installation of a pump in the west well. He stated that the pump was installed two years ago, or approximately in 1987 or 1988. Since the installation of the pump, only the west well has been pumped.

16. Udy's testimony established that, during the original period for development and beneficial use granted by the permit, no development or construction on the wells occurred.

17. Udy also established that he had diverted water through the two existing wells without complying with the condition requiring casing of the wells through the shallow aquifer.

18. Richard Udy testified that a nearby well associated with water right 41-07027 was cased through the surface aquifer and into the first confining layer. He stated that the well production was insignificant once the surface aquifer no longer contributed to the well water.

19. One of the proposed points of diversion is located very close to the surface diversion for the Landing Ditch in Section 22.

20. Both proposed new points of diversion are located within the watershed drainage which gathers surface water for the Landing Ditch diversion.

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21. Bench Ditch, U.S. Ditch, and 7UD Ranches are all water users with surface water rights earlier in time than permit no. 41-07028. While the points of diversion of these protestants are remotely located from the location of the proposed points of diversion, the withdrawal of ground water upstream in the Rockland Basin adversely affects the availability of surface stream flows to earlier water rights downstream.

22. Richard Udy alleged that ground water pumping does not affect surface flows, but that surface flows are solely dependent on snow melt to the individual streams. In light of the facts presented, the hearing officer finds this argument unpersuasive.

CONCLUSIONS OF LAW

1. Idaho Code § 42-211 sets forth the criteria that the Department must consider in determining whether an application for amendment should be approved:

> . . . [I]f approval thereof would not result in the diversion and use of more water than originally permitted and if the rights of others will not be adversely affected thereby, the director of the department of water resources shall approve said application and return an approved copy to the permit holder. The director of the department of water resources shall give such notice to other affected water users as he deems appropriate and may grant the amendment, in whole or in part or upon conditions, or may deny the same.

2. In addition to the criteria expressly set forth in Section 42-211, local public interest will also be considered in determining whether an application for amendment should be approved.

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3. The applicant carries the burden of coming forward with evidence and proving that his proposed amendment will not result in an enlargement of use, and will not injure other water users.

4. All parties carry the burden of coming forward with evidence regarding matters of local public interest, but the applicant bears the burden of proof to show that his proposal will satisfy the public interest, or that public interest in the proposal is of greater worth than the public interests with which it conflicts.

5. Idaho Code § 42-351 states:

> If the director of the department of water resources finds, on the basis of available information, that a person is diverting water from a natural watercourse from a ground water source without having obtained a valid water right to do so or is applying water not in conformance with the conditions of a valid water right, then the director of the department of water resources may file an action seeking injunctive relief or may issue an order directing the person to cease and desist the activity or activities alleged to be in violation of applicable law or of any existing water right. A cease and desist order may direct compliance with applicable law and with any existing water right or may provide a time schedule to bring the person's action into compliance with applicable law and with any existing water right.

6. Where the proposed wells will reduce water flows needed to satisfy existing rights, the amendment should not be approved.

7. The applicant failed to establish that the drilling of two additional wells would not injure other water users. To the contrary, evidence was submitted to show that the surface flows were dependent upon inflow from ground water, and that drilling of additional wells in the proposed locations would deplete spring flows from ground water.

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SEP 12 1990

8. Based on the information submitted at the hearing, the local public interest dictates caution in further development of ground water resources in the Rockland Basin.

9. The application for amendment should be denied. Furthermore, failure to pursue further development of the wells during the original five year development period implies that diligent effort toward completion was not exerted by Udy, and that an extension of time should not have been granted pursuant to Idaho Code § 42-204. The extension of time could be vacated, and the permit could be voided for failure to diligently pursue development.

10. Udy should be prohibited from diverting water under permit no. 41-07028 until he has complied with the casing requirements of the permit.

ORDER

1. IT IS HEREBY ORDERED that application for amendment of permit no. 41-07028 is DENIED.

2. IT IS FURTHER ORDERED that the two existing wells located in the SW1/4SW1/4, Section 23, T11S, R31E, represent the extent of development under water right no. 41-07028.

3. IT IS FURTHER ORDERED that to avoid cancellation or voiding of permit no. 41-07028, the applicant must complete construction of the two existing wells in the NW1/4NW1/4 of Section 23 to case through the first confining underground layer and prevent inflow from the shallow aquifer by September 1, 1990.

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SEP 12 1990

Should be
NW NW

4. IT IS FURTHER ORDERED that the applicant must not divert water with a pump from the existing west well or pump from the east well with any pumping system which increases its present capacity until both wells have been cased with unperforated casing through the first confining layer. Illegal pumped in violation of this order could result in an assessment of civil penalties of up to $100 a day for each illegal point of diversion.

5. IT IS FURTHER ORDERED that all other conditions of permit no. 41-07028 remain in full force and effect.

Dated this 21st day of March, 1990.

Gary Spackman

GARY SPACKMAN, Hearing Officer
Department of Water Resources

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SEP 12 1990

CERTIFICATE OF MAILING

I hereby certify that on the 22nd day of March, 1990, I mailed a correct copy of this Proposed Memorandum Decision and Order and the Order Issuing Memorandum Decision and Order, postage prepaid, to the following individuals:

Grant Udy & Sons
5111 S. Hwy 37
Rockland, ID 83271

Landing Ditch Waterusers
4846 Hwy 37
Rockland, ID 83271

Ben Cavaness
P.O. Box 70
American Falls, ID 83211

James Robinson
P.O. Box 157
Rockland, ID 83271

Richard Nelson
P.O. Box 335
Rockland, ID 83271

Richard Udy
5111 S. Hwy 37
Rockland, ID 83271

Jennifer Seifert
JENNIFER SEIFERT
Clerical Assistant

MICROFILMED
SEP 12 1990

Form 211
2/80

Ident. No. 41-7028

DENIED

DENIED

STATE OF IDAHO

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now Grant Udy & Sons Phone 548-2636

of (address) 5111 S. Hwy. 37, Rockland, ID 83271, and represents to the Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 41-7028, and requests that the permit and permit map be changed as follows:

1. Point of diversion: 1 point NW ¼ NW ¼, Section 23, Township 11S, Range 31E, B.M., County of Power. Other points of diversion: SE¼NW¼ Sec. 22 T. 11S R. 31E NE¼NW¼ Sec. 23 T. 11S R. 31E

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.) No Change

Amount _____ (cfs or acre feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

Amount _____ (cfs or acre feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

Amount _____ (cfs or acre feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

Amount _____ (cfs or acre feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

3. Place of use or land to be irrigated: No Change

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated = _____

4. a. Who owns the property at the point of diversion? Permittee

b. Who owns the land to be irrigated or the place of use? "

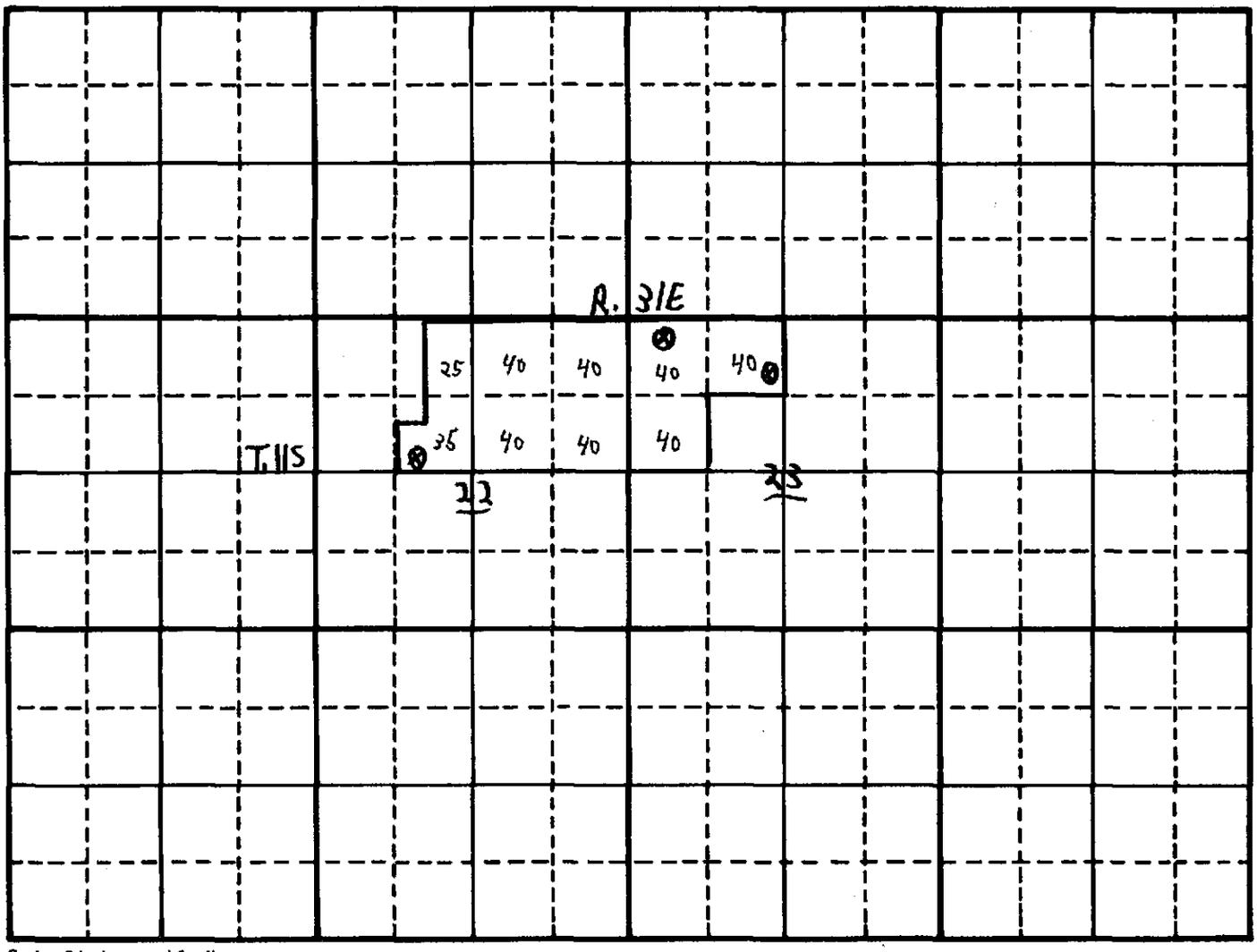
c. If the property is owned by a person other than the applicant, state the agreement enabling the applicant to make this filing: _____

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SEP 12 1990

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Twin Falls, this 13 day of June, 19 89.

Richard Udy (Partner)
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by DRJ Fee = $20.00 Receipted by JJ Date 6-13-89 #50081/54

Publication prepared by M.B. Date 6/26/89 Published in Power Co. Press

Publication dates 7/5 + 7/12/89

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, _____, of the Department of Water Resources hereby

_____

_____

_____

Witness my hand this _____ day of _____, 19 ____.

_____

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SEP 12 1990

Affidavit of Publication

RECEIVED
JUL 18 1989
Department of Water Resources
Southern Region Office

State of Idaho

County of Power

Erma Crompton being first duly sworn on oath, states:

That she is the publisher of The Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 2 successive weekly issues thereof, the date of the first publication being the 5 day of July 1989 and the date of last publication being the 12 day of July 1989.

(Signed) Erma Crompton

State of Idaho

County of Power

On this 17 day of July in the year of 1989, before me, a Notary Public, personally appeared Erma Crompton, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Brett Crompton

Notary Public for Idaho
Residing at American Falls, Idaho
My commission expires: June 8, 1993

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SEP 12 1989

Notice of amendment

Published in The Power County Press, July 5, 12, 1989.

NOTICE OF AMENDMENT TO A WATER RIGHT
NO. 41-7028

Notice is hereby given that Grant Udy & Sons of Rockland, ID are the holders of Approved Permit NO. 41-7028 authorizing the diversion of 2.0 cubic feet per second of water from two groundwater points of diversion in the NW¼NW¼, S23, T11S, R31E, County of Power, to be used for irrigation of 340 acres in additon to storage for irrigation and diversion to storage within NE¼, E½NW¼, S22, T11S, R31E; N½NW¼, SW¼NW¼, S23, T11S, R31E.

The permit holder has applied to the Department of Water Resources for an Amendment to the Permit, to add Points of Diversion to include SE¼NW¼, S22, T11S, R31E; NE¼NW¼, S23, T11S, R31E.

Amount: No change.

Period of Use: No change

Place of Use: No change

Any protest against approval of the amending of Permit NO. 41-7028 as set forth above must be filed with the Idaho Department of Water Resources, 2148 4th Avenue East, Twin Falls, ID 83301 on or before July 24, 1989.

R. Keith Higginson, Director

OK NB 7/18/89

INTER-DEPARTMENT MEMO — 1

FROM [illegible]

DATE 2-06-86

TO File 41-7027 & 41-7028

SUBJECT - at the time of licensing, permit holder must show that the casing condition requirements have been met or the rights should be administered together with the surface water in the area.

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SIGNATURE

RECEIVED
Form 204
3/85
09-10-120, 2000, A-6887
DEC 5 1985

For Office Use Only
$15 FEE Received
Date 12-9-85
Receipt # 37350

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof of beneficial use on a water right permit

RECEIVED
DEC 9 1985
Department of Water Resources

Grant Holy & Sons (Name) of Rockland (Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Water of the State of Idaho No. 41-7028.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before Jan 1, 1986.

That he has heretofore performed the following work described under said permit: The well has been dug, but has not had a pump put on it. The well is approximately 150 feet deep

(This must be filled out! If no work has been completed put none.)

*SEE ADDITIONAL INFORMATION SUBMITTED ON EXTENSION FORM DATED JANUARY , 1986.

Costing $ 3,000.00

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to Jan, 1991 (1 yr. minimum, 5 yrs. maximum)

Grant Holy & Sons by Richard Holy (Signature)*

*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

FEE: $15.00

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to September 1, 1990.

MICROFILMED

Signed this 6th day of February, 1986.

L. Glen Saxton
Chief, Operations Bureau

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PROTESTS AGAINST APPROVAL OF APPLICATION FOR PERMIT NO. 41-7028 IN THE NAME OF GRANT UDY AND SONS	MEMORANDUM DECISION AND ORDER

On August 15, 1977, Grant Udy and Sons of Rockland, Idaho filed with the Department of Water Resources an application for permit to appropriate 2.00 cubic feet per second of water from a groundwater source. The application proposes to divert the water from two existing wells located in the NW¼NW¼, Sec. 23, Twp. 11S, Rge. 31E B.M., Power County. The water was to be used for the irrigation of 340 acres and to be diverted to storage for irrigation into a reservoir of 11 acre feet capacity.

Notice of the application was published in the Power County News on September 1 and September 8, 1977.

A protest against the application was received September 19, 1977 from John B. Kugler, attorney, acting on behalf of Farold Nelson, Lynn Hunter, Stan Groom and Farren Porath. The protestants were water users from the Rockland Valley Water District.

The protest was based upon the following objections:

1) That the proposed diversion of groundwater from the wells would reduce stream flows and adversely affect the rights of waterusers of Rock Creek.

2) That the wells and reservoir were constructed in violations of the laws of Idaho.

A conference in the matter was held in American Falls on January 23, 1979. Present at the conference were Richard Udy, representing the applicants; Stan Groom, protestant; and John B. Kugler, attorney for the protestants. It was the position of the protestants that no permit should be issued to appropriate groundwater using wells which were the subject of previous complaints until the complaints could be resolved. The applicant said it was his intention to complete the wells to comply with minimum well construction standards for use under this application. The protestants had no objection to the applicant appropriating groundwater if he installed unperforated well casing down through the first water-bearing aquifer and into the confining layer so that surface flows and the water in the upper aquifer would not be able to enter the wells. The parties agreed to allow the Department of Water Resources to reach a decision in the matter based upon information presented at the conference, information

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in the records of the Department, and information collected during the 1978 field season by the U.S. Geological Survey.

On September 8, 1980, the Department issued a Proposed Memorandum Decision and Order and allowed the parties until September 23, 1980 to file an exception to that decision. The applicant on September 22, 1980, filed an exception to Finding of Fact No. 2 which stated:

> "At the time of filing, the subject wells had casings that are perforated to the surface and were not in compliance with the minimum well construction standards of the Department of Water Resources."

A copy of the exception was sent to the protestants' attorney on October 20, 1980 to determine if the protestants had any objection to the amending of Finding of Fact No. 2. No objection to the amending of Finding of Fact No. 2 had been received. The Director has considered the issues and based upon his understanding of the law, he makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1) The two wells are presently in existence and water has been diverted and used under the other existing rights of the applicants.

2) The wells are not located within a designated critical groundwater area.

CONCLUSIONS OF LAW

1) There is sufficient groundwater available to satisfy the rate of diversion requested in the application.

2) The flow of Rock Creek will not be adversely affected by the continued use of these existing wells.

ORDER

IT IS, THEREFORE, HEREBY ORDERED That Application for Permit No. 41-7028 is APPROVED subject to the following conditions:

03 1) Use of water under the permit is subject to all prior water rights.

01,010 2) A measuring device or access port of a type approved by this Department shall be permanently installed and maintained as a part of the diverting works.

038 3) The rate of diversion under this permit, when combined with all other water rights used on the same land, shall not exceed 0.02 cubic feet per second for each acre of land irrigated.

16 4) The uses, amounts, and seasons of use approved are as follows:

2.0 cfs	diversion to storage	from November 15 to March 15
2.0 cfs	irrigation	from March 15 to November 15
11.0 AF	storage for irrigation	from January 1 to December 31
11.0 AF	irrigation from storage	from March 15 to November 15

where total rate of diversion does not exceed 2.00 cubic feet per second.

5) The wells shall be equipped with nonperforated casing from land surface down into the first confining layer in order to prevent interference with surface water flows.

6) Proof of construction of works and application of water to beneficial use shall be submitted to the Department on or before January 1, 1986.

Dated this 12 day of January, 1981.

C. STEPHEN ALLRED
Director

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 41-7028 IN THE) CERTIFICATE OF MAILING
NAME OF GRANT UDY AND SONS)

I HEREBY CERTIFY that on the 23rd day of January, 1981, true and correct copies of the foregoing MEMORANDUM DECISION AND ORDER were mailed, postage prepaid to:

Grant Udy and Sons
Rockland, ID 83271

John B. Kugler
Attorney at Law
1156 East Center
Pocatello, ID 83201

Rita I. Fleck

RITA I. FLECK
Sr. Secretary
Idaho Department of Water Resources

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF CONSTRUCTION OF WELLS)
OWNED BY GRANT UDY & SONS,) O R D E R
ROCKLAND, IDAHO)

WHEREAS, Grant Udy & Sons filed Application for Permit 41-7028 to appropriate water from a groundwater source on August 15, 1977; and,

WHEREAS, two existing wells located in the NW¼NW¼ Sec. 23, T11S, R31E, B.M., Power County, were to be used as diversion works under application 41-7028; and,

WHEREAS, an inspection of the wells by Department of Water Resources personnel on January 24, 1980 revealed that the westerly one of the two wells was not in compliance with the Well Construction Standards Rules and Regulations of the Idaho Department of Water Resources;

THEREFORE, IT IS HEREBY ORDERED that:

(1) Additional surface sealing of the westerly of the two wells in the NW¼NW¼ Sec. 23, T11S, R31E shall be placed to prevent the uncontrolled discharge of artesian waters.

(2) The westerly well shall be capped by welding a 1/4-inch thick steel plate over the top of the casing until such time as water is diverted from the well under a valid water right.

(3) Both wells shall be cased and sealed in a manner to prevent the entry of water into the boreholes above the first confining underground layer.

(4) This work shall be accomplished on or before December 31, 1980.

Dated this 3 day of September 1980.

C. STEPHEN ALLRED
Director

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF CONSTRUCTION OF WELLS OWNED BY GRANT UDY AND SONS, ROCKLAND, IDAHO.	CERTIFICATE OF MAILING

I HEREBY CERTIFY That on the 9th day of September, 1980, true and correct copies of the foregoing ORDERS were mailed, postage prepaid to:

Grant Udy and Sons
Rockland, ID 83271

Rita I. Fleck

RITA I. FLECK

MICROFILMED

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PROTESTS AGAINST APPROVAL OF APPLICATION FOR PERMIT NO. 41-7028 IN THE NAME OF GRANT UDY AND SONS	PROPOSED MEMORANDUM DECISION AND ORDER

On August 15, 1977, Grant Udy and Sons of Rockland, Idaho filed with the Department of Water Resources an application for permit to appropriate 2.00 cubic feet per second of water from a groundwater source. The application proposes to divert the water from two existing wells located in the NW¼NW¼, Sec. 23, Twp. 11S, Rge. 31E B.M., Power County. The water was to be used for the irrigation of 340 acres and to be diverted to storage for irrigation into a reservoir of 11 acre feet capacity.

Notice of the application was published in the Power County News on September 1 and September 8, 1977.

A protest against the application was received September 19, 1977 from John B. Kugler, attorney, acting on behalf of Farold Nelson, Lynn Hunter, Stan Groom and Farren Porath. The protestants were waterusers from the Rockland Valley Water District.

The protest was based upon the following objections:

1) That the proposed diversion of groundwater from the wells would reduce stream flows and adversely affect the rights of waterusers of Rock Creek.

2) That the wells and reservoir were constructed in violations of the laws of Idaho.

A conference in the matter was held in American Falls on January 23, 1979. Present at the conference were Richard Udy, representing the applicants; Stan Groom, protestant; and John B. Kugler attorney for the protestants. It was the position of the protestants that no permit should be issued to appropriate groundwater using wells which were the subject of pervious complaints until the complaints could be resolved. The applicant said it was his intention to complete the wells to comply with minimum well construction standards for use under this application. The protestants had no objection to the applicant appropriating groundwater if he installed perforated well casing down through the first water bearing aquifer and into the confining layer so that surface flows and the water in the upper aquifer would not be able to enter the wells. The parties agreed to allow the Department of Water

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Resources to reach a decision in the matter based upon information presented at the conference, information in the records of the Department, and information collected during the 1978 field season by the U.S. Geological Survey. The Department has taken the issues under consideration and based upon his understanding of the law, the Director of the Department of Water Resources makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1) The two wells are presently in existence and some water has been used under the existing rights of the applicants.

2) At the time of filing, the subject wells had casings that are perforated to the surface and were not in compliance with the minimum well construction standards of the Department of Water Resources.

3) The wells are not located within a designated critical groundwater area.

CONCLUSIONS OF LAW

1) There is sufficient groundwater available to satisfy the rate of diversion requested in the application.

2) Any wells used to divert groundwater must be constructed in accordance with the minimum well construction standards.

3) The flow of Rock Creek will not be adversely affected if the wells are constructed properly with unperforated casing through the first water bearing aquifer into the impervious strata below.

ANALYSIS

In this specific instance, the condition of the wells is a pertinent issue because of possible interference with a surface water source. Such interference could affect existing rights and, therefore, this permit must be conditioned to provide protection for these rights that depend upon the flow of Rock Creek.

ORDER

IT IS, THEREFORE, HEREBY ORDERED That Application for Permit No. 41-7028 is APPROVED subject to the following conditions:

1) Use of water under the permit is subject to all prior water rights.

2) The wells shall be equipped with nonperforated casing from land surface down into the first confining layer in order to prevent interference with surface water flows.

3) A measuring device or access port of a type approved by this Department shall be permanently installed and maintained as a part of the diverting works.

4) The rate of diversion under this permit, when combined with all other water rights used on the same land, shall not exceed 0.02 cubic feet per second for

each acre of land irrigated.

5) The uses, amounts, and season of use approved are as follows:

2.0 cfs	diversion to storage	from November 15 to March 15
2.0 cfs	irrigation	from March 15 to November 15
11.0 AF	storage for irrigation	from January 1 to December 31
11.0 AF	irrigation from storage	from March 15 to November 15

where total rate of diversion does not exceed 2.00 cubic feet per second.

6) Proof of construction of works and application of water to beneficial use shall be submitted to the Department on or before September 1, 1985.

Dated this 8 day of September, 1980.

Bobby D. Fleenor

BOBBY D. FLEENOR

Hearing Officer

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PROTESTS AGAINST APPROVAL OF APPLICATION FOR PERMIT NOS. 41-7027 AND 41-7028 IN THE NAME OF GRANT UDY AND SONS	CERTIFICATE OF MAILING

I HEREBY CERTIFY That on the 9th day of September, 1980, true and correct copies of the foregoing ORDER ISSUING PROPOSAL FOR DECISION, PROPOSED MEMORANDUM DECISION AND ORDER, were mailed, postage prepaid to:

Grant Udy and Sons
Rockland, ID 83271

John B. Kugler
Attorney at Law
1156 East Center
Pocatello, ID 83201

Rita I. Fleck
RITA I. FLECK

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BEFORE THE DIRECTOR OF THE DEPARTMENT

OF WATER RESOURCES OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT NO. 41-7028 IN THE NAME OF GRANT UDY AND SONS	ORDER ISSUING PROPOSAL FOR DECISION I.C. SECTION 67-5211

C. Stephen Allred, Director of the Department of Water Resources, having reviewed the attached proposed decision prepared by his appointee, BOBBY D. FLEENOR, who conducted the hearing or who has read the record in this case, hereby approves the same as a proposal for decision pursuant to Idaho Code, Section 67-5211 and orders that said proposed decision and a copy of this order be served upon each of the parties to these proceedings who appeared at the hearing on January 23, 1979, of this matter or upon their attorneys in accordance with Rule 7.3 of the Rules of Practice and Procedure of this Department.

Each party to these proceedings who appeared at the hearing is hereby afforded the opportunity, pursuant to Idaho Code Section 67-5211, to file exceptions to the attached proposed decision and to present briefs and oral arguments in accordance with the provisions of this order. Exceptions may not be filed and briefs and oral arguments may not be presented by parties who did not appear at the hearing of this case. If no timely and proper exceptions are received, an order by the Director will be entered adopting and issuing the proposed decision as his final decision.

I.

EXCEPTIONS

A. To be considered by the Director, exceptions must:

1. be received by the Director on or before the 15th day following the day of service of this Order and the proposed decision, and

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2. specifically identify the portions of the proposed decision to which exceptions are made and specifically state the grounds for those exceptions.

B. Exceptions not in compliance with the above stated requirements will not be considered and will be deemed an acceptance of the proposed decision.

II.

BRIEFS

A. Any briefs in support of exceptions to the proposed decision shall be filed with the Director at the same time that party's exceptions are filed with the Director.

B. Any party desiring to file a brief in response to any exceptions filed by any other party may do so by filing such brief with the Director on or before the 15th day following the last day any exceptions by any other party were served upon that party desiring to respond.

III.

ORAL ARGUMENTS

A. No oral arguments before the Director on the proposed decision will be held unless specifically requested by a party filing exceptions to the proposed decision and unless that request is filed with the Director concurrently with the filing of that party's exceptions.

B. If oral arguments have been properly requested by a party filing exceptions, any other party shall have the right to present oral arguments in response to the exceptions filed, provided that party files a request with the Director on or before the 15th day following the day the last exceptions by any other party were served upon that party.

C. After all exceptions, briefs and requests for oral arguments have been received by the Director and if oral arguments have been properly requested, the Director will, within a reasonable time, set the case for oral arguments and notify each party of the place,

date and hour the oral arguments will take place and of the period of time allocated for the arguments of this case. Unless the Director orders otherwise, all oral arguments shall be heard in Boise, Idaho.

IV.

CERTIFICATION OF SERVICE

A. All exceptions, briefs, requests for oral arguments and other matters filed with the Director in connection with the proposed decision shall be served on all other parties to these proceedings in accordance with Rule 7.2.

V.

FINAL DECISION

A. Following the submission of all exceptions and briefs and oral arguments, if they are heard, the Director shall issue a final decision adopting, modifying or rejecting and replacing the proposed decision. Copies of the decision and order shall be served on all parties.

DATED this 3 day of August, 1980.

C. STEPHEN ALLRED
Director
Department of Water Resources

RECEIVED
OCT 15 1979

Identification No. _____

Application No. 41-7028

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

1. Name of applicant Grant Udy & Sons Phone: 548-2636

   post office address Rockland, Idaho 83271

2. Source of water supply Groundwater which is a tributary of _____

3. a. Location of point of diversion is NW (2 points) ¼ of NW ¼ of Section 23 Township 11S

   Range 31E B.M. Power County; additional points of diversion if any: _____

   _____

   _____

   b. If water is not consumed, it will be discharged into _____ at a point in _____ ¼

   of _____ ¼ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

   Amount 2.0cfs (cfs or acre-feet) for diversion to storage ~~from storage~~ purpose from Nov 15 ~~Mar. 15~~ to Mar 15 ~~Nov. 15~~ (both dates inclusive)

   Amount 2.0cfs (cfs or acre-feet per annum) for irrigation purpose from Mar. 15 to Nov. 15 (both dates inclusive)

   Amount 11 AF (cfs or acre-feet per annum) for storage for irrigation purpose from Jan 1 to Dec 31 (both dates inclusive)

5. Total quantity to be appropriated: 11 AF irrigation from storage Mar 15 to Nov 15

   a. 2.0 cubic feet per second and/or *SEE REMARKS 10/16/79 JJ

   b. _____ acre feet per annum.

6. Proposed diverting works:

   a. Description of ditches, flumes, pumps, headgates, etc. two existing wells, pumps, holding ponds

   _____

   _____

   _____

   b. Height of storage dam 15 feet, active reservoir capacity 11 acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: earth

   Period of year during which storage will occur _____ (Mo. Day) to _____ (Mo. Day) inclusive.

   c. Proposed well diameter is 16 inches; proposed depth of well is 200 & 140 ~~feet~~ ft.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.

   b. Estimated construction cost is $ 8,000.00 .

8. Description of proposed uses:

   a. If water is **not** for irrigation:

   (1) Give the place of use of water: _____ ¼ of _____ ¼ of Section _____ Township _____

   Range _____ B.M.

   (2) Amount of power to be generated: _____ hp under _____ feet of head.

   (3) List number of each kind of livestock to be watered _____

   _____

   (4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

   (5) If water is to be used for other purposes describe: _____

   _____

   _____

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b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11S	31E	22	40	40	40	40	25			35									220
		23					40	40	40										120

Total number of acres to be irrigated 340

c. Describe any other water rights used for the same purposes as described above. .5 cfs South Fork Landing Creek decreed water in part, 48'' Landing Creek decreed water, license 41-2019 & 41-2026

9. a. Who owns the property at the point of diversion applicant

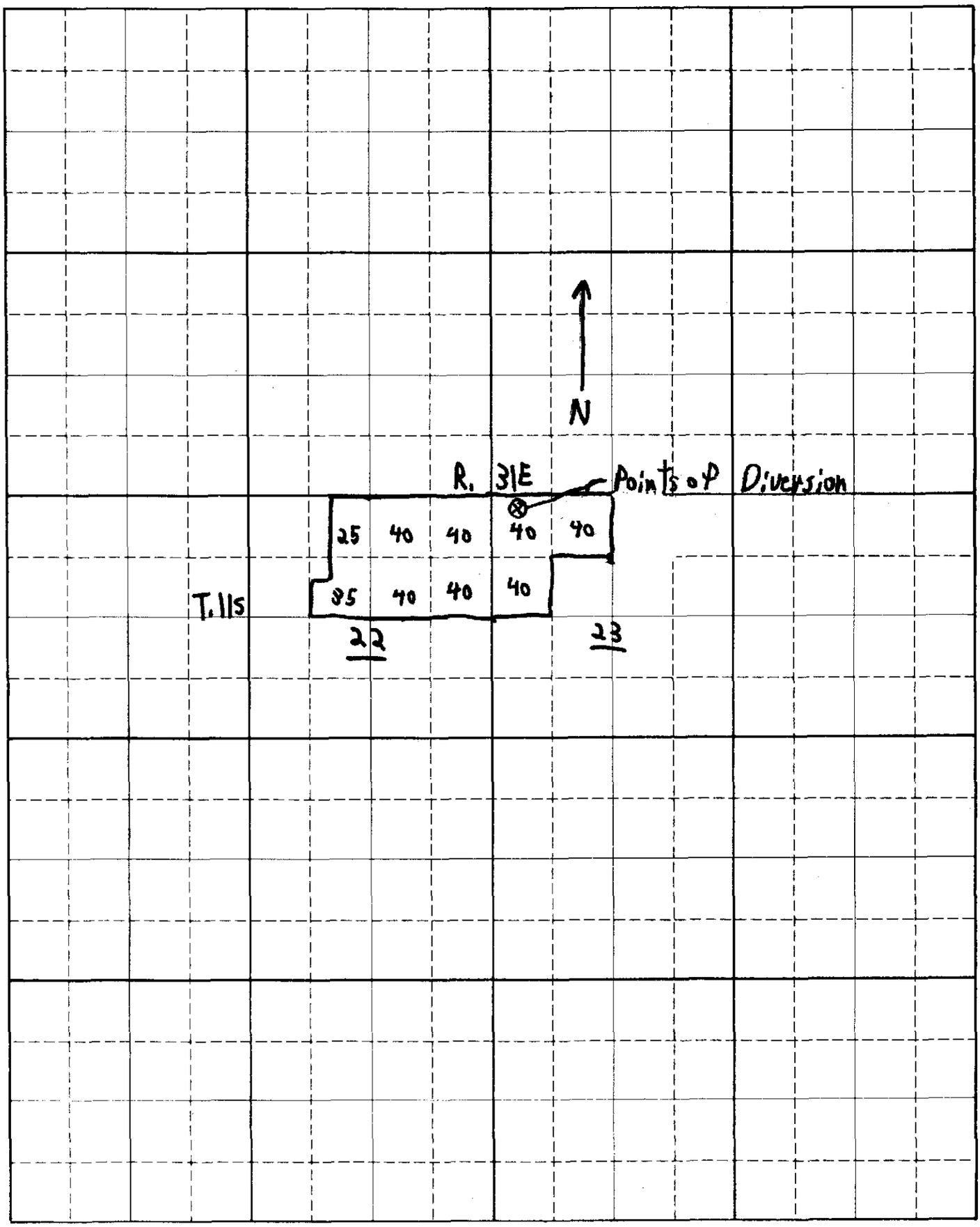
b. Who owns the land to be irrigated or place of use applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

* Corrections were added to application to conform with present policy standards for storage applications JJ 10/16/79

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Richard Udy (Partner)
(Applicant)
Grant Udy & Sons

Priority date: August 15, 1977

Received by JL Date 8-15-77 Time 4pm

Preliminary check by LS Fee $35.00 #8710

Receipted by DJ Date 8/15/77

Publication prepared by BD Date 8/18/77

Published in Power County News

Publication dates 9/1 & 9/8

Publication approved BD Date 9/14/77

Priority reduced to _____ Reason _____

Protests filed by: Farold Nelson, Lynn Hunter, Stan Groom, Farren Porath

Copies of protests forwarded by MLS

Conference
Hearing held by BDF Date 1-23-79

Recommended for approval denial by MLS

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 41-7028, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

   a. SUBJECT TO ALL PRIOR WATER RIGHTS.

   b. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 19 86.

   c. Other: PURSUANT TO MEMORANDUM DECISION AND ORDER

2. Denial of said application is for the following reasons: _____

Witness my hand this 12 day of January 19 81.

Director

irm 238-7
'82

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

USE TYPEWRITER OR BALLPOINT PEN

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNER

WR 41-07028

Name Grant Udy & Sons

Address 512 So. Hwy 37 Rockland ID 83271

Owner's Permit No. 41-9050-005-000

2. NATURE OF WORK

4192-S-0005-000

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☒ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other [redacted]

Thickness	Diameter	From	To
.1025 inches	10 inches	+ 1½ feet	167 feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☒ Yes ☐ No
Was a packer or seal used? ☒ Yes ☐ No
Perforated? ☒ Yes ☐ No
How perforated? ☒ Factory ☒ Knife ☐ Torch
Size of perforation 5/8 inches by 4 inches

Number	From	To
216 perforations	112 feet	130 feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☒ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter ____ Slot size ____ Set from _____ feet to _____ feet
Diameter ____ Slot size ____ Set from _____ feet to _____ feet
Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet
Surface seal depth _____ Material used in seal: ☐ Cement grout ☒ Bentonite ☐ Puddling clay ☐ _____
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☒ Overbore to seal depth
Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld ☐ Cemented between strata
Describe access port Top of well

6. LOCATION OF WELL

Sketch map location must agree with written location.

N / W / E / S

Subdivision Name _____
MICROFILMED
Lot No. _____ Block No. _____
MAP 1 1999

County POWER

NE ¼ SE ¼ Sec. 23, T. 11 N. R. 31 E.W.

7. WATER LEVEL

Static water level NO WATER feet below land surface.
Flowing? ☐ Yes ☐ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature _____ °F. Quality _____
Describe artesian or temperature zones below.

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped

9. LITHOLOGIC LOG

Bore Diam.	Depth From	Depth To	Material	Water Yes	Water No
[illegible]	0	6	Top Soil		✓
[illegible]	6	12	Sand & Gravel		✓
[illegible]	12	30	Sandy Clay & Gravel		✓
10"	30	43	Clay		✓
10"	43	44	Sandy Clay & Gravel		✓
10"	44	104	Clay and Gravel		✓
10"	104	138	Sandy Clay & Gravel	●	✓
10"	138	140	Gravel		✓
10"	140	167	Clay		✓

RECEIVED
MAR 16 1998
Department of Water Resource
Eastern Region

RECEIVED
MAR 12 1998
Department of Water Resources
Eastern Region

RECEIVED
MAR 25 1998
Department of Water Resources

drilling was actually done in 1998. wrong year was entered on log.

10.

Work started 4/19/90 finished 5/19/90

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Vollmer Well Drilling Firm No. 383
PO Box 2
Address Aberdeen ID 83210 Date 5/20/90
Signed by (Firm Official) [signature]
and
(Operator) [signature]

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

Form 238-7
9/82

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

USE TYPEWRITER OR BALLPOINT PEN

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNER Corrected copies

Name Grant Udy (UDY BROS.)

Address 51115 Hiway 39 Rockland ID 83271

Owner's Permit No. 41-90-5-002

2. NATURE OF WORK WR 41-07028

☐ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)
Sealed upper perforations out to 1st Confining Layer

3. PROPOSED USE

☐ Domestic ☑ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

☑ Rotary ☑ Air ☐ Hydraulic ☐ Reverse rotary
☐ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedules: ☐ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☐ Yes ☐ No
Was a packer or seal used? ☐ Yes ☐ No
Perforated? ☐ Yes ☐ No
How perforated? ☐ Factory ☐ Knife ☐ Torch
Size of perforation _____ inches by _____ inches

Number	From	To
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☐ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter ____ Slot size ____ Set from _____ feet to _____ feet
Diameter ____ Slot size ____ Set from _____ feet to _____ feet
Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet
Surface seal depth _____ Material used in seal: ☐ Cement grout ☐ Bentonite ☐ Puddling clay ☐ _____
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☐ Overbore to seal depth
Method of joining casing: ☐ Threaded ☐ Welded ☐ Solvent Weld ☐ Cemented between strata
Describe access port _____

6. LOCATION OF WELL

MICROFILMED
MAR 1 1 1999

Sketch map location must agree with written location.

N / W / E / S

Subdivision Name _____

Lot No. _____ Block No. _____

County Power

NW ¼ NW ¼ Sec. 23, T. 11 (N)S, R. 31 (E)W.

7. WATER LEVEL

Static water level _____ feet below land surface.
Flowing? ☐ Yes ☐ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature ____ °F. Quality _____
Describe artesian or temperature zones below.

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped

9. LITHOLOGIC LOG

Bore Diam.	Depth From	Depth To	Material	Water Yes	Water No
			2nd Well		
			Put in casing and sealed between the two casings 35 Feet		

RECEIVED
JUN 0 1 1998
Department of Water Resources

10. Work started 07/15/90 finished 07/22/90

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Valley Well Drilling Firm No. 383
407 E. Custer
Address Aberdeen ID 83210 Date 8/16/90
Signed by (Firm Official) Rene Hall
and
(Operator) Rene Hall

USE ADDITIONAL SHEETS IF NECESSARY -- FORWARD THE WHITE COPY TO THE DEPARTMENT

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

August 11, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

GRANT UDY & SONS
5111 S HWY 37
ROCKLAND ID 83271

RE: WATER RIGHT NO. 41-07028

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a **preliminary order** issued by the Department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

MICROFILMED

AUG 20 1998

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) the petition for reconsideration is disposed of; or
> (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

MICROFILMED
AUG 20 1998

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

If you have any questions, please call me at 208-327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

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AUG 2 0 1998

CERTIFICATE OF MAILING

I hereby certify that on the **11th** day of **August, 1998**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

Water Right No. 41-07028

GRANT UDY & SONS
5111 S HWY 37
ROCKLAND ID 83271

Kari Lynn Townsend
Secretary

MICROFILMED
AUG 20 1998

MEMORANDUM

TO: File 41-07028

FROM: Sharla

DATE: July 17, 1998

RE: Recommendation Adjustment(s)

The adjustments to licensing recommendations for Permit No. 41-07028 are as follows:

C. DIVERSION AND DELIVERY SYSTEM
1. Point(s) of Diversion:
T11S, R31E, S23 - NWNW (2 pts)

H. RECOMMENDATIONS

Irrigation	4/1 - 10/31	1.48 cfs	627.1 afa
Irrigation Storage	1/1 - 12/31		11.0 afa
Irrigation from Storage	4/1 - 10/31		11.0 afa
Diversion to Storage	1/1 - 12/31	1.48 cfs	
	TOTALS	1.48 cfs	638.1 afa

The third point of diversion listed by the examiner is a pump which pulls water from the storage pond; this does not qualify as a point of diversion. The rate of diversion is limited to the measurement from the two wells; the volume is limited by the rate of diversion.

Diversion to storage and storage uses were listed on the permit and are carried forward to the license.

The standard irrigation season for this area is 4/1 - 10/31.

Examiner: Brian Block
Exam Date: June 11, 1991

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AUG 2 0 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 41-07028 DATE 6/3/98 REVIEWER: SHARLA

Change/OK

NAME ok
Address ok

SOURCE ok Does change clarifiy orig. intended source? If no, Void permit

POINT OF DIV ok _ Change (P39 /P47) _ Add (P45/P42) Feds - P40

W32 (multiple in ¼¼) (2)
~~W36 (overlap)~~
W59 (subd. desc)

Overlaps: Right(s): ✓
File reviewed ✓ Profile reports printed ✓

PLACE OF USE ok _ Change (P41/P47) _ Add (P41/P42) Feds - P43

W60 (subd. desc)
W27 (ppu acre limit)

Overlaps: Right(s): ✓
File reviewed ✓ Profile reports printed ✓

PD & PU amend (P37) Feds - P48

RATE OF DIV
Permitted Rate 2.00 cfs
Fee limit 2.00 cfs $125.00
Measured 1.48 cfs 15 hp = .49 25hp = .82
Theoretical 1.31 cfs @ 50' lift and 60 psi
Recommended Total Div Rate 1.48 cfs

Season = 4/1 - 10/31

WATER USES ok 627.1 Change (P46)

~~Irr.~~	1.48 cfs	~~720.9~~ af	Irrig -	overlap (R58-R61, R62-R65, R66-R69)	R64
Stor	___ cfs	11.0 af		supp. gw (WB7/065/079)	
Dom Stor	___ cfs	11.0 af		overlap spec. combined rts (W35)	
Dmstc	1.48 cfs	N/A af		<1acre (W31)	
	___ cfs	___ af	Domestic	(W01/WB5/070/071/075)	
TOTALS	1.48 cfs	~~720.9~~ af	Power	(W42 or W43/025/027/R22 or R23)	
		638.1	Fish (042)	Fire (077) Wtr Quality (081/R07)	

233

~~Season allowed 10/10.0 af~~
233 x 4 = 932.0 af

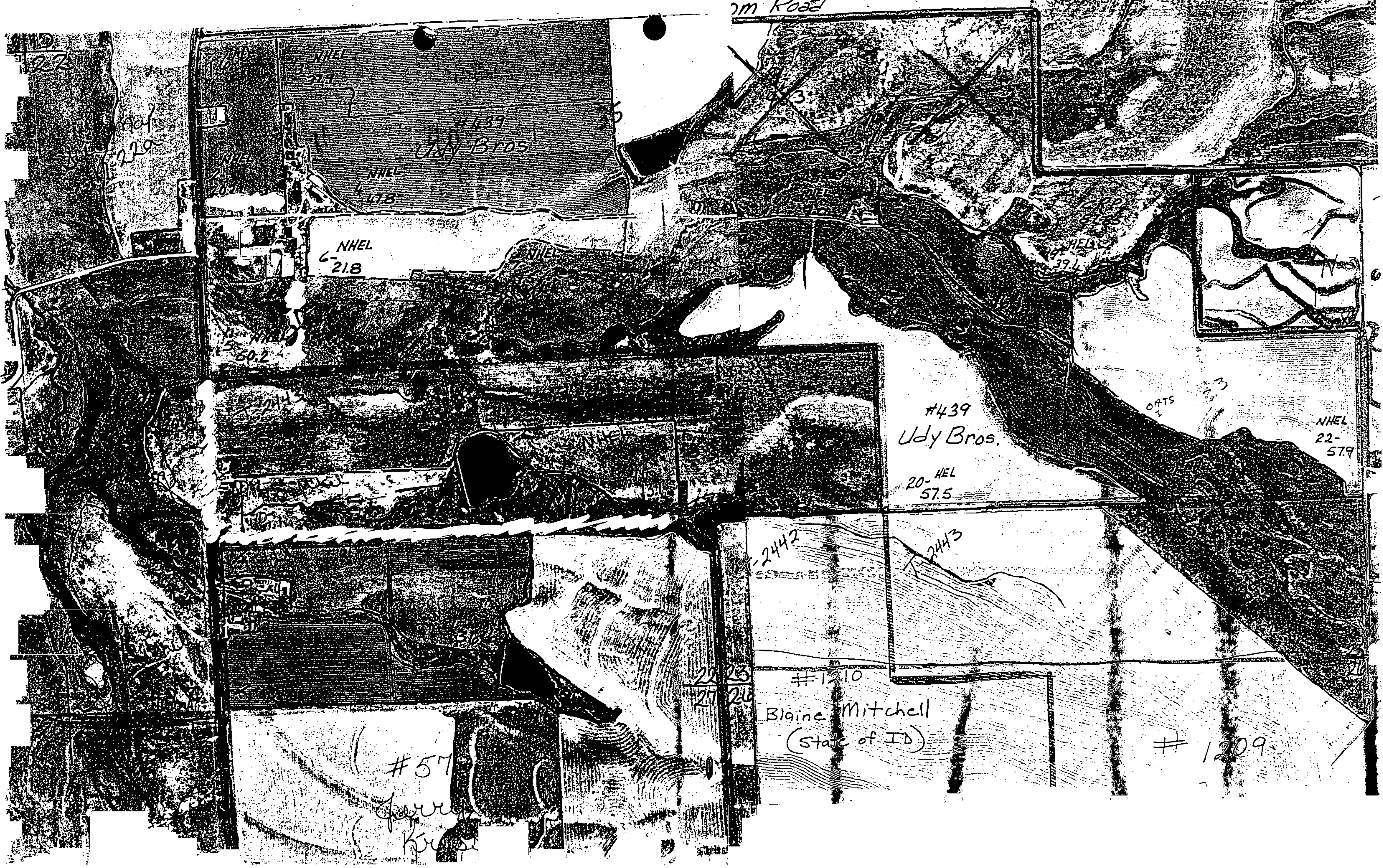
Flow rate 1.48 cfs X ~~214~~ 214 days X 1.98 = ~~720.9~~ 627.1 af

REMARKS ___

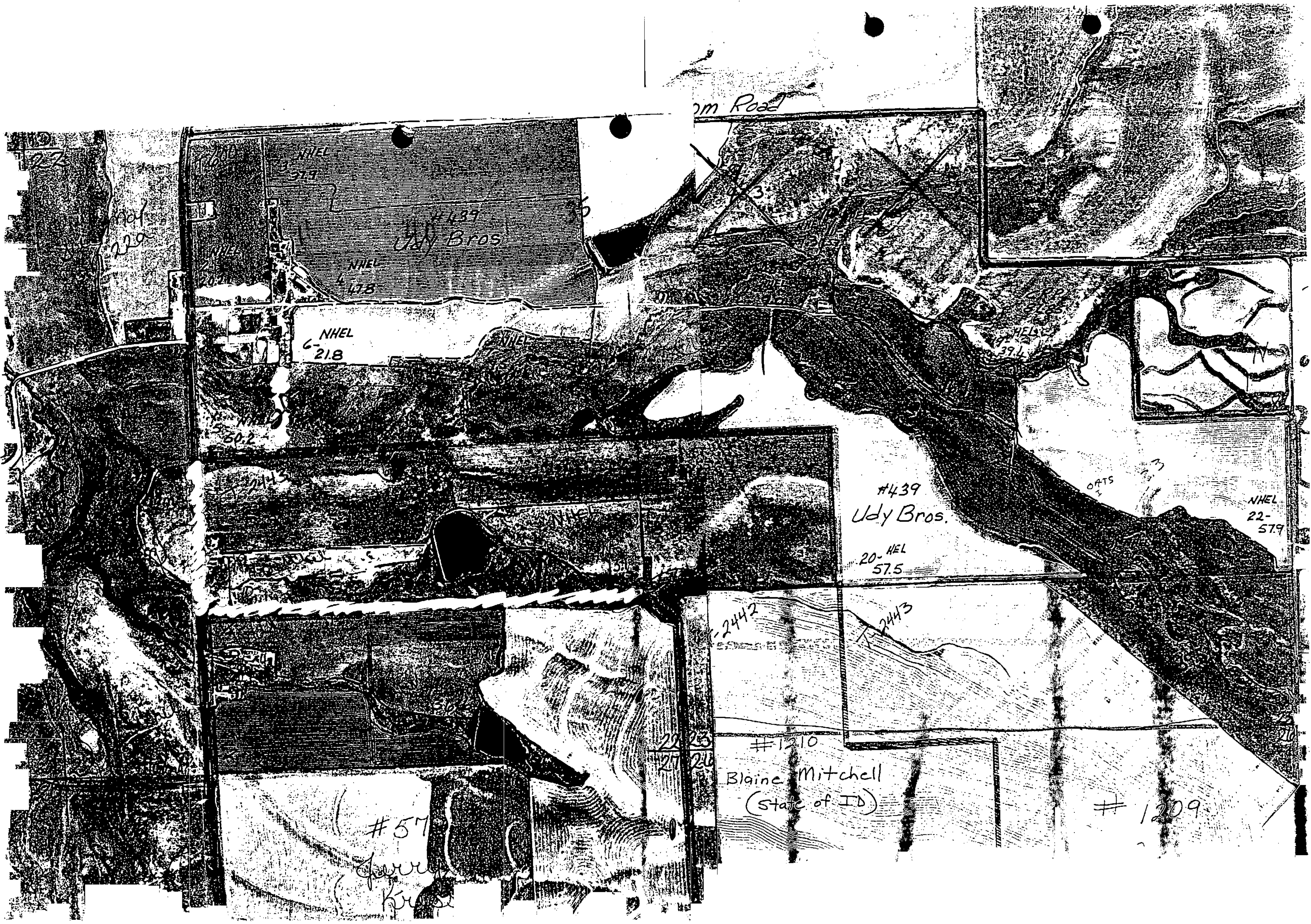
ADD'L CONDITIONS ___ Watermaster Control WD# ___
___ GW Measurement/Measuring Device
___ Others Trust (052/R55 - remove 051) Non-trust (048/049)

Advance Priority ___ yes ✓ no SRBA Claim N/A

Adjust Memo Season volume pt #3 not used for listing & capacity as a pld
Amend letters ___



Road
#439
Udy Bros
NHEL
3-
37.9
NHEL
4-
47.8
NHEL
6-
21.8
NHEL
5-
50.2
HEL
39.4
#439
Udy Bros.
OATS
NHEL
22-
57.9
HEL
20-
57.5
2442
2443
#1210
Blaine Mitchell
(State of ID)
#1209
#57
22



Road
NHEL
3-
37.9
#439
Udy Bros
NHEL
2-
20.4
NHEL
4-
47.8
NHEL
6-
21.8
NHEL
5-
50.2
HEL
19-
39.4
#439
Udy Bros.
NHEL
22-
57.9
20- HEL
57.5
2442
2443
#1210
Blaine Mitchell
(State of ID)
#1209
22 23
27 26
#57

RECEIVED
JUN 0 1 1998
Department of Water Resources

May 25,1998

Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83720-0098

Dear Mr. Keen,

Inclosed you will find a copy of the well drillers report on the other well on Permit No. 41-07028.

Thank You,
Richard Udy
Richard Udy

MICROFILMED
AUG 2 0 1998

Form 238-7
9/82

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

USE TYPEWRITER OR BALLPOINT PEN

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNER Corrected Copies

Name Grant Udy (UDY BROS.)

Address 51115 Highway 39 Rockland ID 83271

Owner's Permit No. 41-90-5-002

2. NATURE OF WORK

☐ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)
Sealed upper perforations out to 1st Confining Layer

3. PROPOSED USE

☐ Domestic ☑ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

☑ Rotary ☑ Air ☐ Hydraulic ☐ Reverse rotary
☐ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☐ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☐ Yes ☐ No
Was a packer or seal used? ☐ Yes ☐ No
Perforated? ☐ Yes ☐ No
How perforated? ☐ Factory ☐ Knife ☐ Torch
Size of perforation _____ inches by _____ inches

Number	From	To
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☐ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter ____ Slot size ____ Set from _____ feet to _____ feet
Diameter ____ Slot size ____ Set from _____ feet to _____ feet
Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet
Surface seal depth _____ Material used in seal: ☐ Cement grout ☐ Bentonite ☐ Puddling clay ☐ _____
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☐ Overbore to seal depth
Method of joining casing: ☐ Threaded ☐ Welded ☐ Solvent Weld ☐ Cemented between strata
Describe access port _____

6. LOCATION OF WELL

Sketch map location must agree with written location.

N / W / E / S

Subdivision Name _____
Lot No. _____ Block No. _____
County Power
NW ¼ NW ¼ Sec. 23, T. 11 (N/S), R. 31 (E/W).

7. WATER LEVEL

Static water level _____ feet below land surface.
Flowing? ☐ Yes ☐ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature _____ °F. Quality _____
Describe artesian or temperature zones below.

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped

9. LITHOLOGIC LOG

Bore Diam.	Depth From	Depth To	Material	Water Yes	Water No
			2nd well		
			Put intercasing and sealed between the two casings 35 Feet		

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JUN 01 1998
Department of Water Resources

10. Work started 07/15/90 finished 07/22/90

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Valley Well Drilling 407 E. Center Firm No. 383
Address Aberdeen ID 83210 Date 8/16/90
Signed by (Firm Official) Rene Hobbs
and
(Operator) Rene Hobbs

MICROFILMED
AUG 20 1998

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 18, 1998

GRANT UDY & SONS
5111 S HWY 37
ROCKLAND ID 83271

RE: Permit 41-07028

Notice of Intent to Void Permit

Dear Permit Holder:

Last month I wrote to you asking for confirmation that you have complied with the requirement that you case through the first confining underground layer in *both* of your wells located in the NW¼NW¼, Section 23, T11S, R31E, B. M. I specifically requested that you submit a well driller's report or other formal documentation of the completed work to me within 30 days. To date, I have not received this information.

Under the terms of the August 6, 1990, Order Adopting Proposed Memorandum Decision and Order in the matter of your permit, compliance with the casing requirement is necessary "to avoid cancellation or voiding" of your permit. Please submit documentation of compliance to me by June 17, 1998. If I have not received your response by that date, I will take action to void your permit. If your permit is voided, your diversion from the wells for irrigation will be limited to the 1.03 cfs authorized under water right licenses 41-02019 and 41-02026.

If you have no further interest in your permit, you may shorten the voiding process by completing the enclosed relinquishment form.

If you have any questions, please contact me at 208-327-7946.

Respectfully,

Shelley Walter Keen
Water Rights Supervisor

MICROFILMED

AUG 2 0 1998

H:\NAMELTRS\UDY2.doc

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 8, 1998

GRANT UDY & SONS
5111 S HWY 37
ROCKLAND ID 83271

RE: Permit 41-07028

Dear Permit Holder:

We are reviewing the field report submitted to us in connection with water appropriation permit 41-07028 to determine if a water right license can be issued to you. As part of our review, we noted that the 1990 order denying your application to amend the permit also required you to complete construction of your two existing wells to case through the first confining underground layer. Your file contains a 1990 well driller's report (well log) from Vollmer Well Drilling indicating that the required work was completed for one well. I also have a copy of a drilling permit application from 1992 for the purposes of sealing off the first confining layer in the second well. I can find no evidence, however, that the required work was actually completed for the second well.

A water right license cannot be issued to you unless IDWR is satisfied that you have complied with all the conditions of your permit. At this point, we cannot proceed without evidence that the required work has been completed for both wells. Please supply a well driller's report or other formal documentation of the completed work to me within 30 days.

If you have any questions, please contact me at 208-327-7946.

Respectfully,

Shelley Walter Keen

Shelley Walter Keen
Water Rights Supervisor

MICROFILMED

AUG 2 0 1998

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Form 235-1
7/90

Drilling Permit No. 41-07028
Water Right Permit No. 41-07028
Injection Permit No. _____

RECEIVED
APR 20 1992
Department of Water Resources
Southern Region Office

State of Idaho
Department of Water Resources

APPLICATION FOR DRILLING PERMIT

1. **Applicant (please print)** GRANT Lldy & Sons
2. **Mailing Address** 511 So Hwy 37 Rockland, ID 8
   Telephone 548-2636

(X) Well Owner ( ) Well Operator ( ) Other, specify _____

3. **Proposed well location** ~~SW~~ NW 1/4 ~~SW~~ NW 1/4, or Gov't Lot No. _____
   Sec. 23, Twp. 11S, Rge. 31E, County Power
   Street Address of Well Site _____
   Lot, block and subdivision _____

4. **Proposed use of well:**

( ) Domestic: The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diverstion rate of 0.04 cfs and a diversion volume of 2500 gpd.

(X) Non-Domestic: Any beneficial use not included within the definition of domestic.

( ) Injection

( ) Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____

5. **Well construction information:**

A. ( ) New well ( ) Deepen ~~(X)~~ Replace - See Condition 9 (X) Repair casing

B. Proposed Surface Diameter 14 Proposed Maximum Depth 200

C. Anticipated bottom hole temperature:

(X) 85°F or less (Cold water well)
( ) 85°F to 212°F (Low temp. geothermal well)
( ) 212° or more (Geothermal well)

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AUG 20 1998

6. **Construction Start Date** April 26, 1992
7. **Anticipated Well Driller** Ken VOLLMER 383
   NOTE: The actual well driller must be identified prior to drilling.
8. **Applicant's signature** Richard Udy Date 4/20/1992
   Title Partner
   (Owner, Firm Representative, Other)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is Approved. Date 4/22/92.

If approved, this permit authorizes the constuction or modification of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

The purpose of this applicatin is to seal of the 1ST Confining layer of Water.

Larae D Haberman — [illegible]
Signature of Authorized Department Representative — Title

Receipt No. 5014433 Receipted by DJ Fee 200 Date 4/22/92

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AUG 20 1998

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension is good for 60 days beyond the above extension approval date.

Form 219
6/86

RECEIVED
NOV 15 1994
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 41-7028

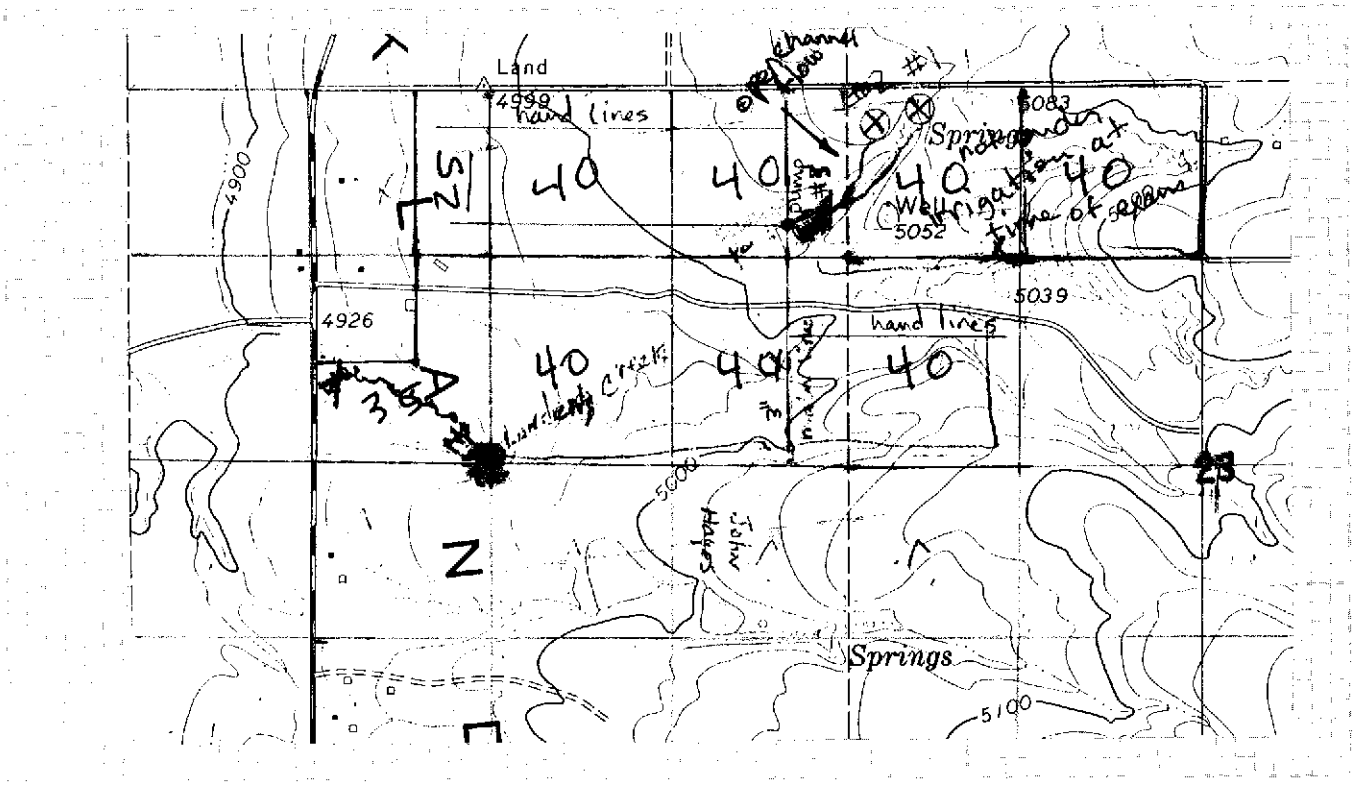
1. Owner: Grant Udy & Sons Phone No. 548-2636
   Current Address: 5111 S. Hwy. 37 Rockland, ID 83271
2. Accompanied by: Richard Udy EXAM. DATE: 6/11/91
   Address: _____ Phone No. _____
   Relationship to Permit Holder: Son
3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: 41-02019, 41-02026, 41-00012
   ☒ Copies Attached
2. Other water rights with same point of diversion: 41-02026, 41-02019
   ☒ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = .25 mi.

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
   ☒ Aerial Photo Attached (required for irrigation of 10 acres or more).
   ☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater.

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System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Wells #1 & #2 divert water into an open channel that runs into a holding pond. (approx 11 af. capacity) pump #3 diverts water from pond to irrigation system. 2-1/2 mi. hand lines and 1-1/4 mi hand line was being run at time of measurement. pond pump diverted water from bottom of pond.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
#1	U.S. Electric	15	#3864776		
#2	Fairbanks-Morse	25	#504233		
#3	Century	20	126	Berkely	C1243

**Code to correspond with No. on map and aerial photo*

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
#1			NW	NW	23	11S	31E	Power	Aireal Photo
#2			NW	NW	23	11S	31E	Power	"
#3			NE	NE	22	11S	31E	Power	"

6. **Place(s) of Use:** Indicate Method of Determination USGS map / interview

Twp.	Rge.	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11S	31E	22	40	40	40	40	25			35									220
11S	31E	23							40										40
																			260

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Do not use this space AUG 20 1998

Do not use this space

D. FLOW MEASUREMENTS

☒ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Polysonic						

2. **Measurements:** measurements of both wells and pond pump were taken with system in normal operation.

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)
Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)
Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)
Meter Input HP: (6) x 1.34 = _____ (7)
Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Ampsx .001732 = _____ (6)
Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = 340(3.5) = 1190 af.

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = 1.73(245)(1.9835) = 248.7

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = 248.7

2. Volume Calculations for Other Uses:

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AUG 20 1998

H. REMARKS AND OVERLAP REVIEW ANALYSIS

New water right seeks to expand rate and place of use on old licenses.

rate is limited by capacity of pump #3

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
irrigation	3/15	11/15	1.73	248.7
Totals:			1.73	248.7

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None

☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

J. AUTHENTICATION

Field Examiner's Name: Brian Block

Signature: Brian Block

Certification Date:

Field Report Preparation Date: 6/21/91

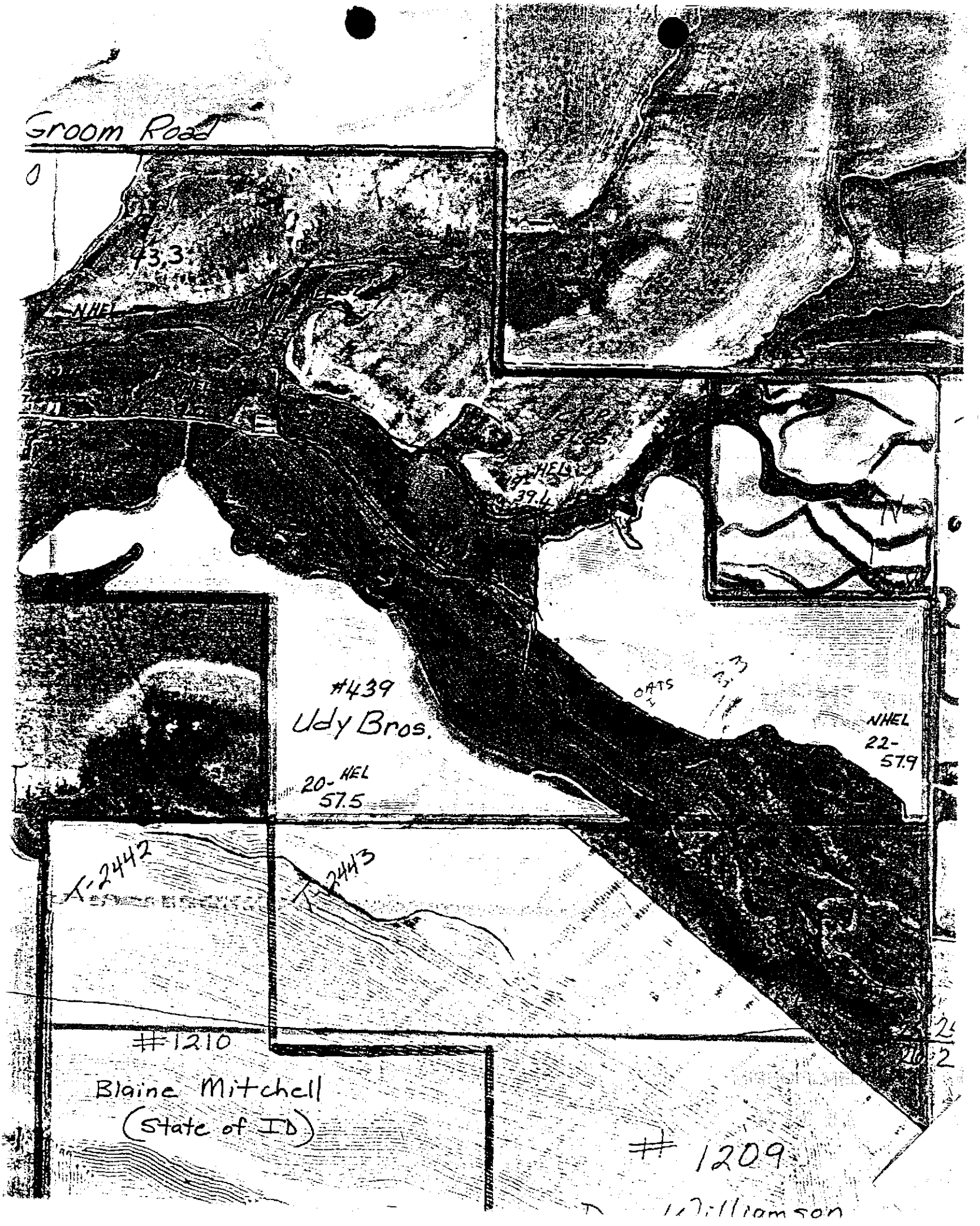
CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

MICROFILMED

NOV 20 1996


Harley Davidson
60.2
NHEL
21.8
Lehi Bros
NHEL
30.2
576
Jerry
Kress
90.5
#57
Jerry
Kress


Groom Road
43.3
NHEL
CRP
81.8
NHEL
39.4
#439
Udy Bros.
OATS
NHEL
22-
57.9
20- NHEL
57.5
T-2442
T-2443
#1210
Blaine Mitchell
(State of ID)
#1209

41-7028

MODE SELECT
INPUT

OUTER DIAMETER
5.0291 IN

PIPE MATERIAL
? AL,DI

WALL THICKNESS
0.0510 IN

INNER LINING
? NO LING.

KIND OF FLUID
? WATER

SENSOR MOUNTING
? V

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
3.118 IN V

INTEG UNIT
*G

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

ZERO MODE
ZERO OPR

06-11 13:3900 *R
+003.00 % AI2

MODE SELECT
T0 CHECK

0188.7 MMSEC
102.51 % T0

#1

06-11 13:4100 *R
+193.902E 0GPM

06-11 13:4200 *R
+195.487E 0GPM

#1

06-11 13:4300 *R
+195.487E 0GPM

#1

av = 195.0 gpm
= 0.44 cfs.

MODE SELECT
INPUT

OUTER DIAMETER
6.0476 IN

PIPE MATERIAL
? AL,DI

WALL THICKNESS
0.0545 IN

INNER LINING
? NO LING.

KIND OF FLUID
? WATER

SENSOR MOUNTING
? V

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
3.997 IN V

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

ZERO MODE
ZERO OPR

MODE SELECT
T0 CHECK

0226.1 MMSEC
101.89 % T0

06-11 14:0300 *R
+464.414E 0GPM

#2

06-11 14:0400 *R
+466.263E 0GPM

06-11 14:0500 *R
+463.622E 0GPM

06-11 14:0500
+003.00 % AI2

06-11 14:0500 *R
+003.00 % AI2

av = 464.8 gpm
= 1.04 cfs.

MODE SELECT
INPUT

OUTER DIAMETER
6.0476 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
0.1000 IN

INNER LINING
? NO LING.

KIND OF FLUID
? WATER

SENSOR MOUNTING
? V

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
4.105 IN V

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

pond pump #3

06-11 15:3100 *R
+001.80 % AI2

MODE SELECT
T0 CHECK

0221.2 MMSEC
101.26 % T0

06-11 15:3200 *R
+780.100E 0GPM

06-11 15:3300 *R
+772.703E 0GPM

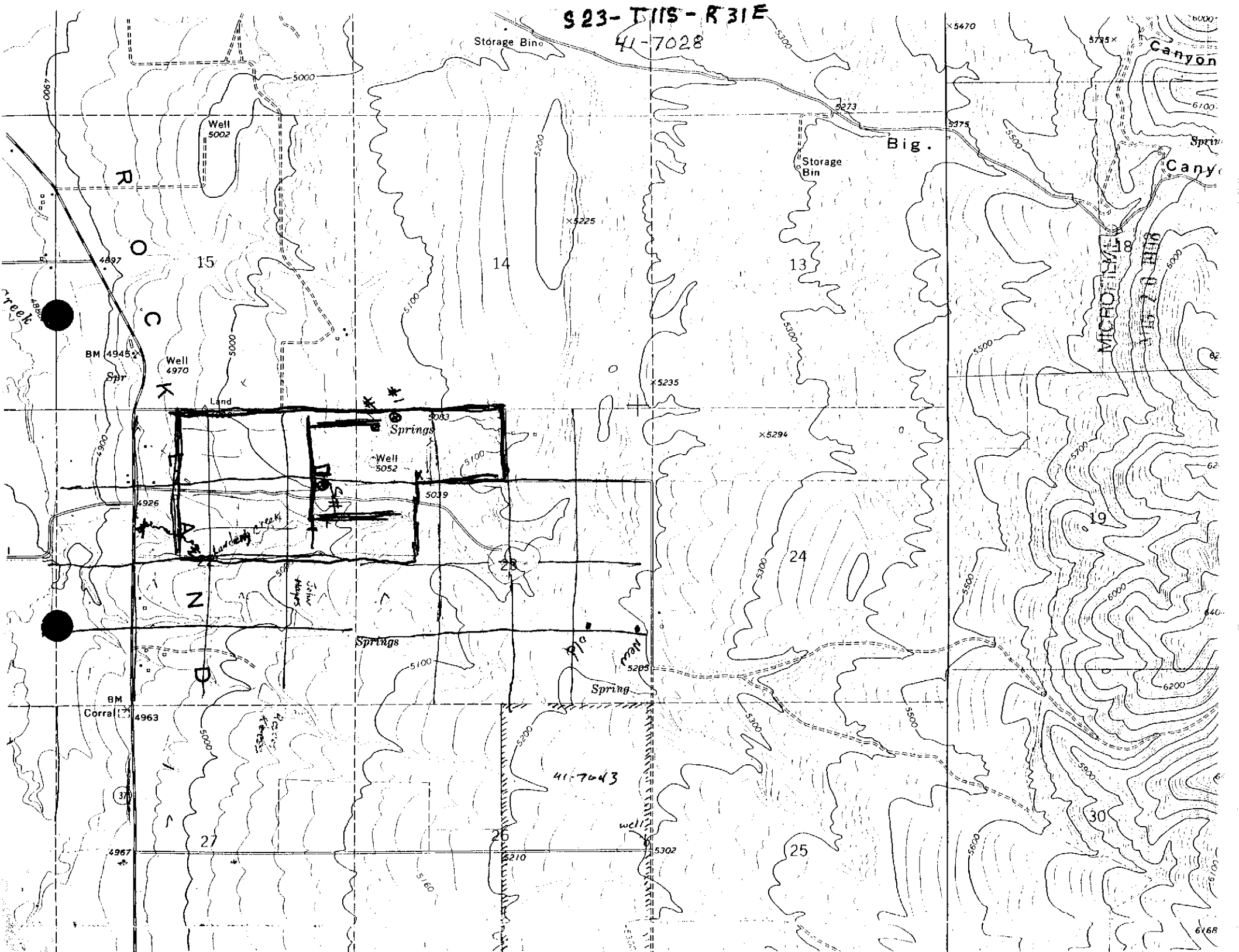
06-11 15:3400 *R
+773.495E 0GPM

06-11 15:3500 *R
+774.552E 0GPM

06-11 15:3600 *R
+771.382E 0GPM

av = 774.4 gpm
= 1.73 cfs.

MICROFILMED
AUG 2 0 1998


S 23 - T 11S - R 31E
41-7028
Storage Bin
Well 5002
Storage Bin
Big.
Canyon
ROCK
15
14
13
18
19
24
25
30
27
26
28
Well 4970
BM 4945
Spr
Land
Springs
Well 5052
5039
5083
Springs
Spring
BM Corral 4963
41-7043
well
5302
6210
4967
4926
5205
MICROWAVE

5-6 at pond

91-07028

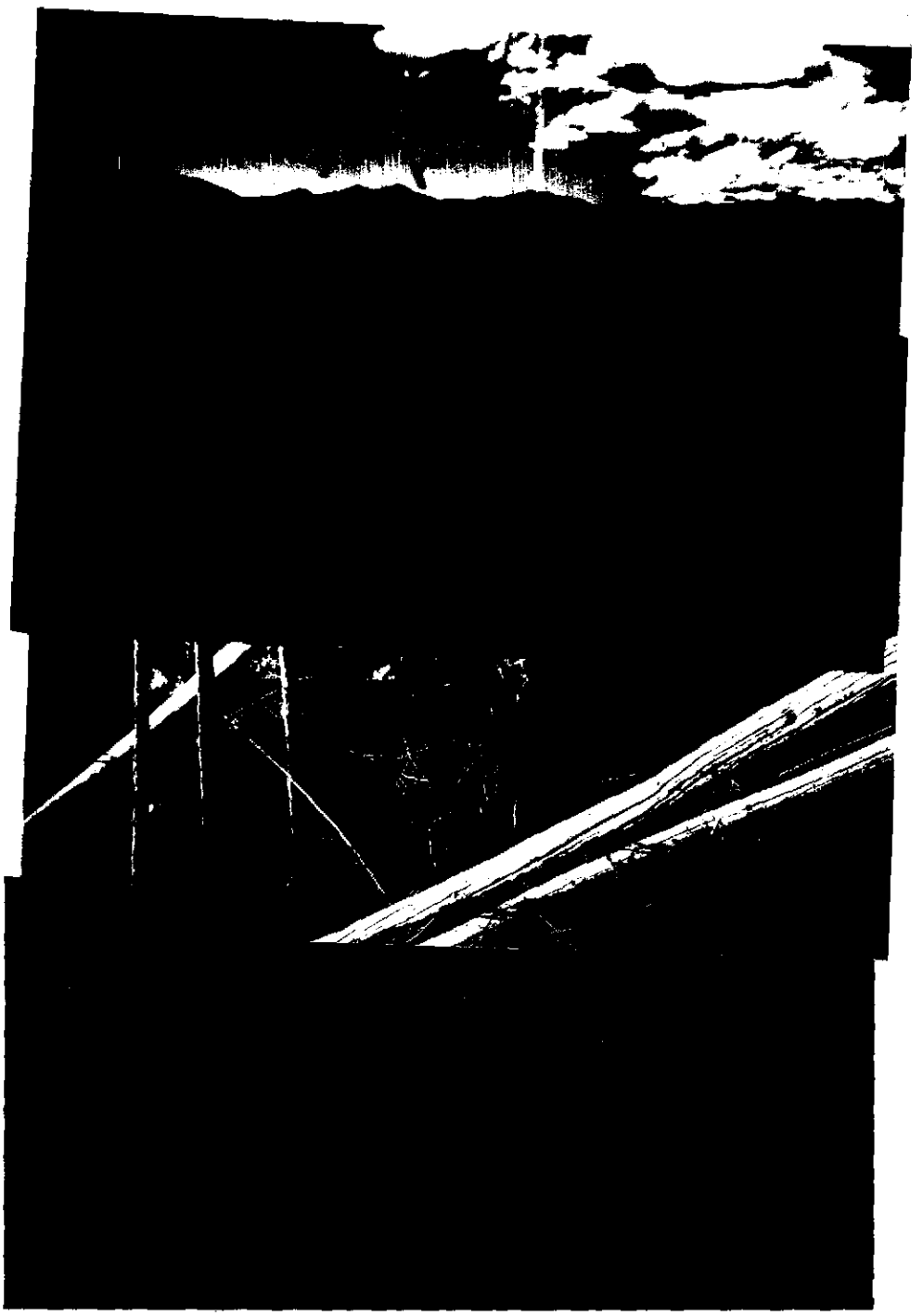




MICROFILMED

AUG 2 0 1998

91-07028



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AUG 2 0 1993

91-07028



MICROFILMED

AUG 2 0 1993

91-07028



MICROFILMED

AUG 2 0 1998

Form 238-7
9/82

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

USE TYPEWRITER OR BALLPOINT PEN

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNER

Name Grant Udy

Address 5111 S Hwy 39 Rockland ID 83271

Owner's Permit No. 41-90-S [redacted] 002 002-301

2. NATURE OF WORK

☐ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

Spiled upper perf out to 1st confining layer

3. PROPOSED USE

☐ Domestic ☑ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

☐ Rotary ☑ Air ☐ Hydraulic ☐ Reverse rotary
☐ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☐ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
_____ inches	_____ inches +	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☐ Yes ☐ No
Was a packer or seal used? ☐ Yes ☐ No
Perforated? ☐ Yes ☐ No
How perforated? ☐ Factory ☐ Knife ☐ Torch
Size of perforation _____ inches by _____ inches

Number	From	To
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☐ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter ____ Slot size ____ Set from _____ feet to _____ feet
Diameter ____ Slot size ____ Set from _____ feet to _____ feet
Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet
Surface seal depth _____ Material used in seal: ☐ Cement grout ☐ Bentonite ☐ Puddling clay ☐ _____
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☐ Overbore to seal depth
Method of joining casing: ☐ Threaded ☐ Welded ☐ Solvent Weld ☐ Cemented between strata
Describe access port _____

7. WATER LEVEL

Static water level 12' feet below land surface.
Flowing? ☐ Yes ☐ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature _____ °F. Quality _____
Describe artesian or temperature zones below.

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped

9. LITHOLOGIC LOG

Bore Diam.	Depth From	Depth To	Material	Water Yes	Water No
			Over Drilled		
			Original Casing & Cleaned out to		
			First layer Basalt		
			Perforations at 35'		
			Backfilled outside of casing		
			to ft. 9½ yds of concrete		
			Spiled from 35' up		
			of upper perf.		

RECEIVED
JUL 25 1995
Department

10.

Work started 07/15/90 finished 07/22/90

6. LOCATION OF WELL

Sketch map location must agree with written location.

N / W / E / S

Subdivision Name _____
Lot No. _____ Block No. _____
County Power
NW ¼ NW ¼ Sec. 23, T. 11 (N)S, R. 31 (E)W.

MICROFILMED
AUG 20 1996

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Wilkins Well Drill Firm No. 383
407 E Costa- 83210
Address Aberdeen, Id Date 08/10/90
Signed by (Firm Official) Kenneth L Wilkins
and
(Operator) Kenneth L Wilkins

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

Form 235-1
9/89

RECEIVED

MAY 21 1990

Department of Water Resources
Southern Region (Twin Falls)

Drilling Permit No. 41-90-S-002-501
Water Right Permit No. 41-7028
Injection Permit No. _____

State of Idaho
Department of Water Resources

DRILLING PERMIT

RECEIVED
JUL 11 1995
Department of Water Resources
Southern Region

1. Applicant (Please Print) Udy Bros.
2. Mailing Address 5111 S. Hwy 37 Rockland ID 83271
   Telephone 548-2636
   (X) Well Owner ( ) Well Operator ( ) Other, specify _____
3. Proposed well location NW 1/4 NW 1/4, or Gov't lot No. _____,
   Sec. 23, Twp. 11S, Rge. 31E, County Power,
   Street Address of Well Site _____
   Lot, block and subdivision _____

RECEIVED
JUL 25 1995
Department of Water Resources

4. Proposed use of well:
   ( ) Single family or stockwater use (less than 13,000 gallons per day)
   (X) Irrigation (more than 1/2 acre)
   ( ) Monitoring - A well bore schematic and map is required for each well.
   No. of proposed wells: _____
   (X) Other (describe fully) Modify Well to Provide unperforated Casing to first Confining layer Per order of 1/12/81 on water Permit 41-7028.
5. Well construction information:
   A. ( ) New well (X) ~~Deepen~~ Modify ( ) Replace - See Condition 9.
   B. Proposed surface diameter 16" Maximum depth 200 (casing to 35')
   C. Anticipated bottom hole temperature:
   (✓) 85°F or less (Cold water well)
   ( ) 85°F to 212°F (Low temp. geothermal well)
   ( ) 212°F or more (Geothermal well)
6. Construction Start Date May 22, 1990
7. Anticipated Well Driller Ken Voellmer #0410
   NOTE: The actual well ~~driller~~ must be identified prior to drilling.
8. Applicant's signature Richard Udy Date May 21, 1990
   Title _____
   (Owner, Firm Representative, Other)

IMAGED/FILMED
AUG 20 1998

ACTION OF DEPARTMENT OF WATER RESOURCES

This Permit is Approved. Date 5/21/90.

If approved, this permit authorizes the construction of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.

2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.

3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.

4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.

5. Approval of this drilling permit does not authorize trespass on the land of another party.

6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.

7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.

8. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.

9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

Signature of Authorized Department Representative

MANAGER, SOUTHERN REGION
Title

Receipt No. 5012326 Receipted by TP Fee 100.00 Date 5-21-90

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension is good for 60 days beyond the above extension approval date.

MICROFILMED
AUG 2 0 2008

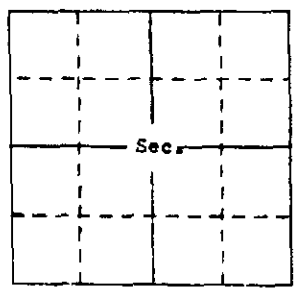
REPORT OF WELL DRILLER
State of Idaho

State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:
Name GRANT + LLOYD UDY
Address ROCKLAND IDAHO

Owner's Permit No. 2-3314-
NATURE OF WORK (check): Replacement well ☐
New well ☒ Deepened ☐ Abandoned ☐
Water is to be used for: IRRIGATION
METHOD OF CONSTRUCTION: Rotary ☒ Cable ☐
Dug ☐ Other ☐ (explain)
CASING SCHEDULE: Threaded ☐ Welded ☒
4" "Diam. from 0 ft. to 88 ft.
"Diam. from ft. to ft.
"Diam. from ft. to ft.
"Diam. from ft. to ft.
Thickness of casing: .188 Material:
Steel ☒ concrete ☐ wood ☐ other ☐ (explain)
PERFORATED? Yes ☒ No ☐ Type of perforator used: TORCH
Size of perforations: ¼ " by 5 "
40 perforations from 80 ft. to 88 ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.
WAS SCREEN INSTALLED? Yes ☐ No ☒
Manufacturer's name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.
CONSTRUCTION: Well gravel packed? Yes ☒ No ☐ size of gravel ⅜" Gravel placed from 20 ft. to 88 ft. Surface seal provided? Yes ☒ No ☐ To what depth? 20 ft. Material used in seal: CEMENT
Did any strata contain unusable water? Yes ☐ No ☒ Type of water:
Depth of strata ft. Method of sealing strata off:
Surface casing used? Yes ☐ No. ☒
Cemented in place? Yes ☐ No ☐

Locate well in section



LOCATION OF WELL: County POWER
NW ¼ NW ¼ Sec. 23 T. 11 N/S R. 31 E/W

Size of drilled hole: 9" Total depth of well: 88' Standing water level below ground: FLOW Temp. Fahr. * Test delivery: gpm or cfs Pump? ☐ Bail ☐
Size of pump and motor used to make test:
Length of time of test: Hrs. Min.
Drawdown: ft. Artesian pressure: ft. above land surface Give flow cfs or 130 gpm. Shutoff pressure:
Controlled by: Valve ☒ Cap ☐ Plug ☐
No control ☐ Does well leak around casing? Yes ☐ No ☒

DEPTH FROM FEET	DEPTH TO FEET	MATERIAL	WATER YES OR NO
0	1	SOIL	
1	17	CLAY	
17	21	GRAVELLY CLAY	
21	83	CLAY	
83	94	GRAVEL (FLOW)	YES

Work started: 8/25/66
Work finished: 8/27/66
Well Driller's Statement: This well was drilled under my supervision and this report is true to the best of my knowledge.
Name: Bernard H. Hardman
Address: 147 SO. MAIN ST. MALAD, IDAHO
Signed by: Bernard Hardman
License No. 322 Date: 10/5/67

Use other side for additional remarks

USGS

MICROFILMED
AUG 20 1998

December 14, 1990

GRANT UDY & SONS
ROCKLAND, ID 83271

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 41-07028

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)734-3578.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED
JAN 07 1991

INTER-DEPARTMENT MEMO

TO: Rita

SUBJECT:

FROM: Glen

DATE: 11-29-90

- On cond of approval required the installation of a measuring device or access port. Permit holder wants to install a V-notch weir measuring device which is O.K. Cond of approval does not need to be changed.

~~- As a side note,~~

MICROFILMED
JAN 17 1991

( ) For your information

( ) Response required

signature

RECEIVED
OCT 25 1990
Department of Water Resources
Southern Region Office

41-7028 10/25/90

RE: Measurement Port Requirement

I request waiver of measurement port requirement because the system involves open discharge from pipes less than 10' long from the pumps. The pipes are not full and measuring devices will not work. I suggest that I be allowed to install a "V" weir in the ditch to which the pumps deliver water. There is about 150' between discharge pipes & I propose to install weir below lowest pipe.

MICROFILMED
JAN 07 1991

Richard Hall

Upper casings on two wells have been sealed under drill permit 41-90-5-002 by K. Vollmer. Log or report on work is pending.

138419
~~138383~~

August 31, 1990

GRANT UDY & SONS
ROCKLAND, ID 83271

PROOF DUE NOTICE

RE: PERMIT NO. 41-07028

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before November 1, 1990. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

SEP 12 1990

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

August 9, 1990

Grant Udy & Sons
5111 S. Hwy 37
Rockland, ID 83271

RE: Permit No. 41-7028

Dear Gentlemen:

Please find enclosed a copy of the Order Adopting Proposed Memorandum Decision and Order.

Any party who disagrees with the decision of the Director may request a rehearing before the Director within twenty (20) days or may appeal to the district court within thirty (30) days from the date this decision is mailed.

Sincerely,

Gary Spackman

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

MICROFILMED
SEP 12 1990

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

August 9, 1990

Ben Cavaness
P.O. Box 70
American Falls, ID 83211

RE: Permit No. 41-07028

Dear Mr. Cavaness:

Please find enclosed a copy of the Order Adopting Proposed Memorandum Decision and Order.

Any party who disagrees with the decision of the Director may request a rehearing before the Director within twenty (20) days or may appeal to the district court within thirty (30) days from the date this decision is mailed.

Sincerely,

Gary Spackman

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

MICROFILMED
SEP 12 1990

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

August 9, 1990

Landing Ditch Waterusers
4846 Hwy 37
Rockland, ID 83271

RE: Permit No. 41-07028

Dear Gentlemen:

Please find enclosed a copy of the Order Adopting Proposed Memorandum Decision and Order.

Any party who disagrees with the decision of the Director may request a rehearing before the Director within twenty (20) days or may appeal to the district court within thirty (30) days from the date this decision is mailed.

Sincerely,

Gary Spackman

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

MICROFILMED
SEP 12 1990

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

August 9, 1990

Richard Nelson
P.O. Box 335
Rockland, ID 83271

RE: Permit No. 41-07028

Dear Mr. Nelson:

Please find enclosed a copy of the Order Adopting Proposed Memorandum Decision and Order.

Any party who disagrees with the decision of the Director may request a rehearing before the Director within twenty (20) days or may appeal to the district court within thirty (30) days from the date this decision is mailed.

Sincerely,

Gary Spackman

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

MICROFILMED
SEP 12 1990

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

August 9, 1990

James Robinson
P.O. Box 157
Rockland, ID 83271

RE: Permit No. 41-07028

Dear Mr. Robinson:

Please find enclosed a copy of the Order Adopting Proposed Memorandum Decision and Order.

Any party who disagrees with the decision of the Director may request a rehearing before the Director within twenty (20) days or may appeal to the district court within thirty (30) days from the date this decision is mailed.

Sincerely,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

MICROFILMED
SEP 12 1990

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 ~(208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

August 9, 1990

Ray Rigby
25 North Second East
P.O. Box 250
Rexburg, ID 83440

RE: Permit No. 41-07028

Dear Mr. Rigby:

Please find enclosed a copy of the Order Adopting Proposed Memorandum Decision and Order.

Any party who disagrees with the decision of the Director may request a rehearing before the Director within twenty (20) days or may appeal to the district court within thirty (30) days from the date this decision is mailed.

Sincerely,

Gary Spackman

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

MICROFILMED
SEP 12 1990

LAW OFFICES

RIGBY, THATCHER, ANDRUS,

RIGBY & KAM, *Chartered*

25 NORTH SECOND EAST - P.O. BOX 250 - REXBURG, IDAHO 83440
RAY W. RIGBY - GORDON S. THATCHER - G. RICH ANDRUS
JERRY R. RIGBY - MICHAEL S. KAM
TELEPHONE (208) 356-3633 - TELEPHONE (208) 529-5531 I.F.
FAX (208) 356-0768

July 23, 1990

RECEIVED
JUL 25 1990
Department of Water Resources

GARY SPACKMAN, MANAGER
DEPARTMENT OF WATER RESOURCES
1301 NORTH ORCHARD STREET
STATEHOUSE MAIL
BOISE ID 83720

Dear Gary:

Re: Permit No. 41-07028 in the Name of Grant Udy & Sons

Thank you for the time you have given me to investigate this matter. I accept the explanation of your letter of June 18, 1990, and expect that you will issue your proposed order.

Sincerely,

Ray W. Rigby

Ray W. Rigby

dk

MICROFILMED
SEP 12 1990

ACTION REQUIRED

FROM: _____

TO: _____

41-7028

7-3-90

Note

Proof due notice has not been sent. This condition needs to be addressed with final order.

MJ

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

July 18, 1990

Ray W. Rigby
Attorney at Law
P.O. Box 250
Rexburg, ID 83440

RE: Permit No. 41-07028 in the Name of Grant Udy & Sons

Dear Ray:

In response to your telephone call on July 11, 1990, I reviewed permit no. 41-07028. You stated that Richard Udy had cased one of the two wells located in the SW1/4SW1/4, Section 23, T11S, R31E, B.M. You also questioned why Udy would need to case what I think is the east well, since the east well was originally pumped without the casing.

I have reviewed the original memorandum decision and order which approved permit no. 41-07028. The order states that "[t]he wells shall be equipped with non-perforated casing from land surface down to the first confining layer in order to prevent interference with surface water flows." The condition was apparently imposed to resolve protests against increased withdrawals from the wells.

The two wells in question were licensed twice by water rights nos. 41-2019 and 41-2026. Udy was entitled to divert water to the extent of his water rights. Permit to appropriate water no. 41-7028, which sought to increase the capacity of the wells, however, stated that an increase in capacity was conditional upon casing of both wells.

At the hearing, Udy stated that he could not use both wells effectively because of their direct interference. If Udy decides to abandon the east well pursuant to Idaho well construction standards, the Department has no objection to his proposal not to case the well. If he plans to use the east well, however, I believe he must case it as required by the original condition of Permit No. 41-7028.

MICROFILMED
SEP 12 1990

Otherwise, the Department would be changing a condition of a water right which was protested without notifying the prior protestants.

Respectfully,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

cc: Southern Region
Ben Cavaness

MICROFILMED
SEP 12 1990

LAW OFFICES

RIGBY, THATCHER, ANDRUS,
RIGBY & KAM, Chartered

25 NORTH SECOND EAST - P.O. BOX 250 - REXBURG, IDAHO 83440
RAY W. RIGBY - GORDON S. THATCHER - G. RICH ANDRUS
JERRY R. RIGBY - MICHAEL S. KAM
TELEPHONE (208) 356-3633 - TELEPHONE (208) 529-5531 I.F.
FAX (208) 356-0768

RECEIVED
JUN 7 1990
Department of Water Resources

June 6, 1990

RICHARD UDY
ROCKLAND
AMERICAN FALLS ID 83271

Re: Permit No. 41-07028/Grant Udy & Sons

Dear Richard:

I enclose herewith a copy of a letter received recently from Gary Spackman.

You will note that he has given us 14 days, or until June 14, 1990, to respond to that letter, otherwise he will proceed with the proposed decision that he has already issued. When I left your place, I had the understanding that you would try to cement in the upper strata, so that you could continue pumping under your permit. I am assuming that is still the case, but thought I should clarify with you before the expiration date mentioned in Mr. Spackman's letter.

Sincerely,

Ray W. Rigby

RWR:sb
cc: Gary Spackman

Mr. Spackman: I will be out of town until June 20, 1990, and believe the matter is resolved, but would really appreciate you withholding any action until the 20th when I have returned to get verification from Mr. Udy.

MICROFILMED
SEP 12 1990

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

May 31, 1990

Ray Rigby
Attorney at Law
25 N. 200 East
Rexburg, ID 83440

RE: Application for Amendment of Permit No. 41-07028 in the Name of Grant Udy & Sons

Dear Mr. Rigby:

On April 3, 1990, the Department of Water Resources received a letter from Richard Udy, stating that he desired to "appeal" the Department's proposed decision regarding application for amendment of permit no. 41-07028. He stated in the letter that he had retained you as counsel.

I have spoken to you on at least two occasions regarding Mr. Udy's application for amendment. After our initial conversation, I sent you some information from our records. You stated that once you received the information, you would file additional documentation with the Department relating to Mr. Udy's letter. As of this date, I have not received any written correspondence from you.

I want to afford you every opportunity to adequately represent your client. I do not wish to have the administrative process mire down, however. Please communicate your intentions with me and the protestants who attended the hearing.

If I have not heard from you within fourteen (14) days, I will assume that Mr. Udy's letter is not intended as a notice of exception, or, if it is a notice of exception, that he wishes to submit nothing further. At the expiration of fourteen (14) days, the Department will issue its final decision, unless additional documents are submitted.

Sincerely,

Gary Spackman

GARY SPACKMAN, Manager
Water Right Permits Sec

MICROFILMED
SEP 12 1990

GS:js

cc: Ben Cavaness

ACTION REQUIRED

FROM: Jim, Southern

TO: Gary Spackman 2-20-90

RECEIVED

MAR 30 1990

Department of Water Resources
Southern Region Office

RECEIVED

APR - 3 1990

Department of Water Resources

March 30, 1990

Department of Water Resources
1301 North Orchard St.
Statehouse Mall
Boise, Idaho 83720

Attn. Mr. Gary Spackman
Re: Application for Amendment of Permit No. 41-07028;

Dear Sirs:

I am writing to appeal your decision on our permit No. 41-07028. Our reason for appealing your decision is that we have been pumping this formation for over 20 years without affecting the flow of the springs on the Landing Creek and the south fork of Rock Creek.

I have hired the services of Mr. Ray Rigby of Rexburg, Idaho to represent us at any future hearings. If you wish to contact him his telephone number is 208-356-3633.

Respectively,
Richard Udy
Richard Udy

MICROFILMED

SEP 12 1990

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

March 22, 1990

Richard Udy
5111 S. Hwy 37
Rockland, ID 83271

RE: Application for Amendment of Permit No. 41-07028; in the Name of Grant Udy & Sons

Dear Mr. Udy:

Please find enclosed a copy of the Proposed Memorandum Decision and Order and Order Issuing Proposed Memorandum Decision and Order for the above referenced application.

Any party who disagrees with the Proposed Decision may file exceptions to the decision within fifteen (15) days of service of the Proposed Decision.

Respectfully,

Gary Spackman

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

MICROFILMED
SEP 12 1990

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

March 22, 1990

James Robinson
P.O. Box 157
Rockland, ID 83271

RE: Application for Amendment of Permit No. 41-07028; in the Name of Grant Udy & Sons

Dear Mr. Robinson:

Please find enclosed a copy of the Proposed Memorandum Decision and Order and Order Issuing Proposed Memorandum Decision and Order for the above referenced application.

Any party who disagrees with the Proposed Decision may file exceptions to the decision within fifteen (15) days of service of the Proposed Decision.

Respectfully,

Gary Spackman

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

MICROFILMED
SEP 12 1990

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

March 22, 1990

Landing Ditch Waterusers
4846 Hwy 37
Rockland, ID 83271

RE: Application for Amendment of Permit No. 41-07028; in the Name of Grant Udy & Sons

Dear Gentlemen:

Please find enclosed a copy of the Proposed Memorandum Decision and Order and Order Issuing Proposed Memorandum Decision and Order for the above referenced application.

Any party who disagrees with the Proposed Decision may file exceptions to the decision within fifteen (15) days of service of the Proposed Decision.

Respectfully,

Gary Spackman

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

RECEIVED
SEP 18 1990

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

March 22, 1990

Richard Nelson
P.O. Box 335
Rockland, ID 83271

RE: Application for Amendment of Permit No. 41-07028; in the Name of Grant Udy & Sons

Dear Mr. Nelson:

Please find enclosed a copy of the Proposed Memorandum Decision and Order and Order Issuing Proposed Memorandum Decision and Order for the above referenced application.

Any party who disagrees with the Proposed Decision may file exceptions to the decision within fifteen (15) days of service of the Proposed Decision.

Respectfully,

Gary Spackman

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

MICROFILMED
SEP 12 1990

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

March 22, 1990

Ben Cavaness
P.O. Box 70
American Falls, ID 83211

RE: Application for Amendment of Permit No. 41-07028; in the Name of Grant Udy & Sons

Dear Mr. Cavaness:

Please find enclosed a copy of the Proposed Memorandum Decision and Order and Order Issuing Proposed Memorandum Decision and Order for the above referenced application.

Any party who disagrees with the Proposed Decision may file exceptions to the decision within fifteen (15) days of service of the Proposed Decision.

Respectfully,

Gary Spackman

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

MICROFILMED
SEP 12 1990

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

March 22, 1990

Grant Udy & Sons
5111 S. Hwy 37
Rockland, ID 83271

RE: Application for Amendment of Permit No. 41-07028; in the Name of Grant Udy & Sons

Dear Gentlemen:

Please find enclosed a copy of the Proposed Memorandum Decision and Order and Order Issuing Proposed Memorandum Decision and Order for the above referenced application.

Any party who disagrees with the Proposed Decision may file exceptions to the decision within fifteen (15) days of service of the Proposed Decision.

Respectfully,

Gary Spackman

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

MICROFILMED
SEP 12 1990

Re: Application for amendment of permit No. 41-7028, Grant Udy & Sons

Place: American Falls

Date: January 23, 1990

Hearing Officer: GARY SPACKMAN

Assisted by: LOREN HOLMES

ROSTER OF ATTENDANCE

NAME	ADDRESS	REPRESENTING
James Robinson	P.O. Box 157 Rockland Id.	Beach Ditch Irrigation
Richard Nelson	P.O. Box 335 Rockland, Ida	" " " U.S. Ditch Co.
Gene Nelson	4846 Hwy 37 Rockland, Ida	Landing Ditch
Bill Summers	P.O. Box 76 Am. Falls, Idaho	" "
Stan Brown	5002 S Rockland Hy	Landing Ditch
Richard Udy		
Gary Spackman		

MICROFILMED
SEP 12 1990

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

02-Jan-1990

Landing Ditch Waterusers
4846 Hwy 37
Rockland, ID 83271

Re: Application for amendment of permit 41-7028, Grant Udy & Sons

Gentlemen:

This office is tentatively scheduling the above matter for hearing on Tuesday, January 23, 1990 in American Falls.

Notices formally setting the hearing will be mailed about January 9.

If you have a conflict with the above date, please let me know before the notices are mailed.

Very Truly yours,

Loren O. Holmes, P. E.
Southern Region Manager

MICROFILMED
SEP 12 1990

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

02-Jan-1990

U. S. Ditch Company
Rockland, ID 83271

Re: Application for amendment of permit 41-7028, Grant Udy & Sons

Gentlemen:

This office is tentatively scheduling the above matter for hearing on Tuesday, January 23, 1990 in American Falls.

Notices formally setting the hearing will be mailed about January 9.

If you have a conflict with the above date, please let me know before the notices are mailed.

Very Truly yours,

Loren O Holmes

Loren O. Holmes, P. E.
Southern Region Manager

MICROFILMED
SEP 12 1990

Form 23

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-27552 / 41-2019

This proof is for Completion of Works & Beneficial Use In Water District No.

1. Name of applicant Grant and Lloyd Udy

2. Source of water supply: Subterranean flow from 2 wells

3. Location of point of diversion: Is in the 2 wells in NW¼NW¼ of Section 23

T. 11 S R. 31 E.B.M. County of Power

4. Describe works as they exist, giving dimensions and capacities of same:

Both wells are in a small fenced area in the NE corner of the NW¼NW¼, Sec. 23. The well in the SE part of the area is 240' deep and has a top diameter of approximately 4'. There is a 16" casing to the bottom of the well and there is an 8" x 10' horisontal discharge pipe welded to the casing at ground level, discharging into an open ditch.

The well in the NW part of the area is also 240' deep and has a top diameter of apparently 5'. There is a 16" casing the full depth and extending 5' above L.S.D. This casing can be swayed from one side of the hole to the other with little effort.

5.

6.

Water flows up around both casings and into the ditches provided. There are some heavy planks laid over and around, partly covering the open well around the casing.

7.

: number

This water is not controlled and cannot be under these conditions. The discharge is collected in a reservoir, ¼ mile SW that has a capacity of approximately 13 AF.

if other

Discharge of both wells was measured in the open ditch just outside the fence on the SW corner of the enclosed area. Measurement was .13' over a 1' Cipolletti Weir = .167 c.f.s. or .17 c.f.s.

DUPLICATE

NW¼SE¼, SW¼SE¼ Sec. 15., NE¼NE¼, NW¼NE¼, SW¼NE¼, SE¼NE¼, NE¼NW¼, SE¼NW¼ Sec. 22., SW¼NE¼, NW¼NW¼, SE¼NW¼, NE¼SW¼, NW¼SE¼ Sec. 23 all in Twp. 11 S., Rge. 31 E.B.M. Making a total of 425 acres.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated ultimately reach?

Remarks: Mr. Grant & Lloyd Udy along

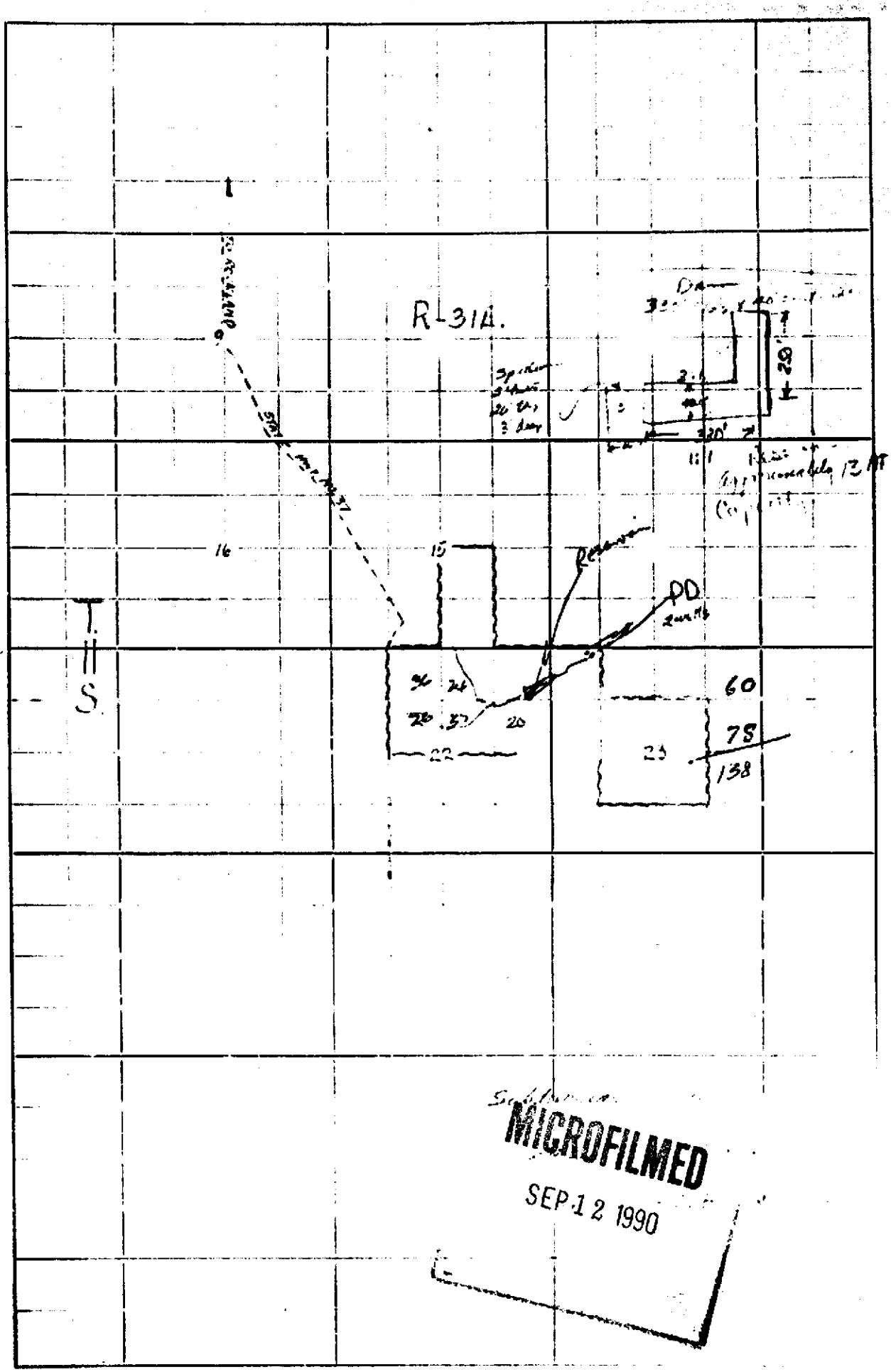
RECEIVED

SEP 12 1990

This examination was made on the 4th day of July 19[illegible]

(Signed) [signature]

Examiner



MICROFILMED
SEP 12 1990

41 2026

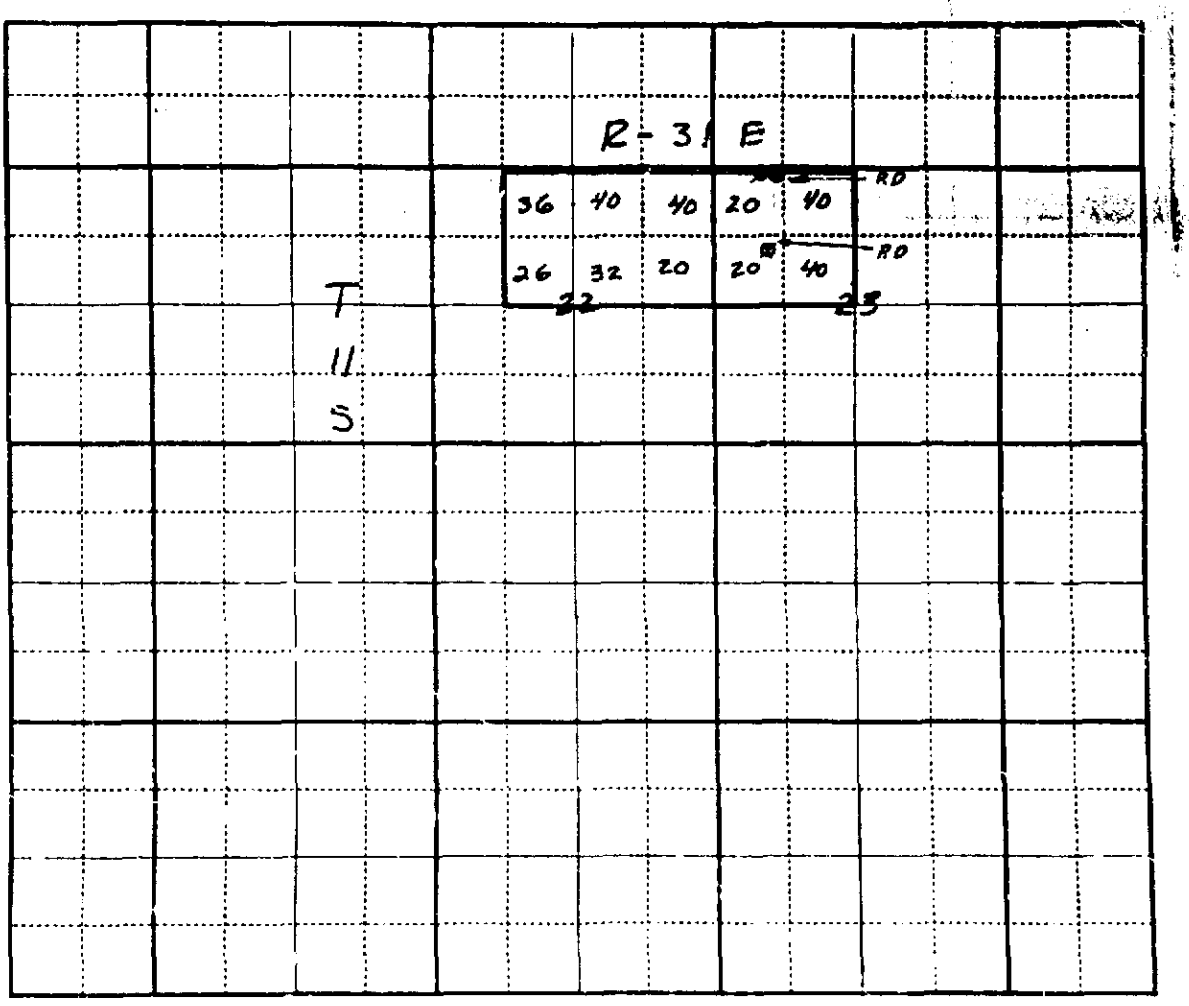


Diagram of System

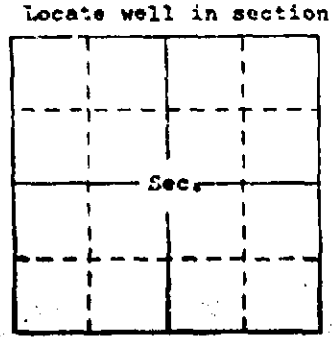


REPORT OF WELL DRILLER
State of Idaho

State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:
Name GRANT + BOYD UDY
Address ROCKLAND IDAHO
Owner's Permit No. 33143
NATURE OF WORK (check): Replacement well ☐
New well ☒ Deepened ☐ Abandoned ☐
Water is to be used for: IRRIGATION
METHOD OF CONSTRUCTION: Rotary ☒ Cable ☐
Dug ☐ Other ☐ (explain)
CASING SCHEDULE: Threaded ☐ Welded ☒
4" "Diam. from 0 ft. to 98 ft.
"Diam. from ft. to ft.
"Diam. from ft. to ft.
"Diam. from ft. to ft.
Thickness of casing: .188 Material:
Steel ☒ concrete ☐ wood ☐ other ☐ (explain)
PERFORATED? Yes ☒ No ☐ Type of perforator used: TORCH
Size of perforations: 1/4 " by 5 "
40 perforations from 80 ft. to 88 ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.
WAS SCREEN INSTALLED? Yes ☐ No ☒
Manufacturer's name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.
CONSTRUCTION: Well gravel packed? Yes ☒
No. ☐ size of gravel 3/8 Gravel placed from 20 ft. to 88 ft. Surface seal provided? Yes ☒ No ☐ To what depth? 20 ft. Material used in seal: CEMENT
Did any strata contain unusable water? Yes ☐
No. ☒ Type of water:
Depth of strata ft. Method of sealing strata off:
Surface casing used? Yes ☐ No. ☒
Cemented in place? Yes ☐ No ☐

Locate well in section



LOCATION OF WELL: County POWER
NW¼ NW¼ Sec. 23 T. 11 S/S R. 31 E/W

Size of drilled hole: 9" Total depth of well: 98' Standing water level below ground: FLOW Temp. Fahr. * Test delivery: gpm or cfs Pump? ☐ Bail ☐
Size of pump and motor used to make test:
Length of time of test: Hrs. Min.
Drawdown: ft. Artesian pressure: ft. above land surface Give flow cfs or 130 gpm. Shutoff pressure:
Controlled by: Valve ☒ Cap ☐ Plug ☐
No control ☐ Does well leak around casing? Yes ☐ No ☒

DEPTH FROM FEET	DEPTH TO FEET	MATERIAL	WATER YES OR NO
0	1	SOIL	
1	17	CLAY	
17	21	GRAVEL/GLACIAL	
21	93	CLAY	
93	94	GRAVEL (FLOW)	YES

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SEP 12 1990

Work started: 8/25/60
Work finished: 9/27/60
Well Driller's Statement: This well was drilled under my supervision and this report is true to the best of my knowledge.
Name: Bernard H. [illegible]
Address: [illegible]
Signed by: Bernard [illegible]
License No. 322 Date: 10/3/60

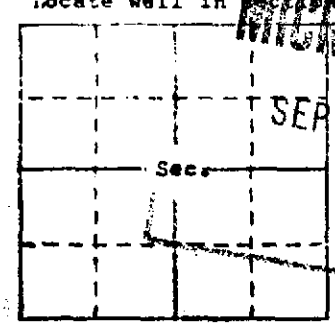
Use other side for additional remarks

REPORT OF WELL DRILLER
State of Idaho

State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:
Name GRANT + LLOYD UDY
Address ROCKLAND IDAHO
Owner's Permit No. [illegible]
NATURE OF WORK (check): Replacement well ☐
New well ☒ Deepened ☐ Abandoned ☐
Water is to be used for: IRRIGATION
METHOD OF CONSTRUCTION: Rotary ☒ Cable ☐
Dug ☐ Other ☐ (explain)
CASING SCHEDULE: Threaded ☐ Welded ☒
4" Diam. from 0 ft. to 106 ft.
" Diam. from ft. to ft.
" Diam. from ft. to ft.
" Diam. from ft. to ft.
Thickness of casing: .188 Material:
Steel ☒ concrete ☐ wood ☐ other ☐ (explain)
PERFORATED? Yes ☒ No ☐ Type of perforator used: TORCH
Size of perforations: " by "
60 perforations from 99 ft. to 101 ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.
WAS SCREEN INSTALLED? Yes ☐ No ☒
Manufacturer's name
Type Model No.
Dia. Slot size Set from ft. to ft.
Dia. Slot size Set from ft. to ft.
CONSTRUCTION: Well gravel packed? Yes ☒ No ☐ size of gravel 3/8 Gravel placed from 20 ft. to 106 ft. Surface seal provided? Yes ☒ No ☐ To what depth? 20 ft. Material used in seal: CEMENT
Did any strata contain unusable water? Yes ☐ No. ☒ Type of water:
Depth of strata ft. Method of sealing strata off:
Surface casing used? Yes ☐ No. ☒
Cemented in place? Yes ☐ No ☐

Locate well in section



LOCATION OF WELL: County POWER
NW 1/4 SE 1/4 Sec. 23 T. 11 N/S R. 31 E/W

Use other side for additional remarks

Size of drilled hole: 9" Total depth of well: 106 Standing water level below ground: FLOW Temp. Fahr. ° Test delivery: gpm or cfs Pump? ☐ Bail ☐
Size of pump and motor used to make test:
Length of time of test: Hrs. Min.
Drawdown: ft. Artesian pressure: ft. above land surface Give flow cfs or 120 gpm. Shutoff pressure:
Controlled by: Valve ☒ Cap ☐ Plug ☐
No control ☐ Does well leak around casing? Yes ☐ No ☒

DEPTH FROM FEET	DEPTH TO FEET	MATERIAL	WATER YES OR NO
0	1	SOIL	
1	12	CLAY	
12	14	GRAVEL	NO
14	35	CLAY	
35	37	GRAVEL	YES
37	39	CLAY	
39	41	GRAVELLY CLAY	
41	77	CLAY	
77	94	GRAVELLY CLAY	
94	96	CLAY	
96	100	GRAVEL (FLOW)	YES
100	106	CLAY	

Work started
Work finished
Well Driller's Statement: This well was drilled under my supervision and this report is true to the best of my knowledge.
Name:
Address:
Signed by:
License No. Date

MICROFILMED
SEP 12 1990

USE BLACK INK OR BALL POINT PEN

State of Idaho
Department of Water Resources

RECEIVED
JAN 5 1977
Southern District Office

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion of the work involved in this well.

1. WELL OWNER

Name RICHARD UDY

Address ROCKLAND, IDAHO

Date started 11-24-76

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement

☐ Abandoned (describe method of abandoning)

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test ☐ Other (specify type)

☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection

4. METHOD DRILLED

☒ Cable ☐ Rotary ☐ Dug ☐ Other

5. WELL CONSTRUCTION

Diameter of hole 10 inches Total depth 175 feet

Casing schedule ☒ Steel ☐ Concrete

Thickness	Diameter	From	To
¼ inches	10 3/4 inches	+1 feet	81 feet
____ inches	____ inches	____ feet	____ feet
____ inches	____ inches	____ feet	____ feet
____ inches	____ inches	____ feet	____ feet
____ inches	____ inches	____ feet	____ feet

Was casing drive shoe used? ☒ Yes ☐ No

Was a packer or seal used? ☐ Yes ☐ No

Perforated? ☒ Yes ☐ No

How perforated? ☐ Factory ☒ Knife ☐ Torch

Size of perforation ¼ inches by 2 inches

Number		From	To
10 rows	perforations	69 feet	79 feet
____	perforations	____ feet	____ feet
____	perforations	____ feet	____ feet

Well screen installed? ☐ Yes ☐ No

Manufacturer's name ____

Type ____ Model No. ____

Diameter ____ Slot size ____ Set from ____ feet to ____ feet

Diameter ____ Slot size ____ Set from ____ feet to ____ feet

Gravel packed? ☐ Yes ☐ No Size of gravel ____

Placed from ____ feet to ____ feet

Surface seal depth 20 Material used to seal ☐ Cement grout ☐ Puddling clay ☒ Well cuttings

Sealing procedure used ☐ Slurry pit ☐ Temporary surface casing ☒ Overbore to seal depth

6. LOCATION OF WELL

Show map location must agree with written location.

N

W E

S

Subdivision Name ____

Lot No. ____ Block No. ____

County ____

NE ¼ NW ¼ Sec. 30 T. 11 N. R. 13 E.B.M.

7. WATER LEVEL

Static water level 25 feet below land surface

Flowing? ☐ Yes ☐ No G.P.M. flow ____

Temperature ____ F. Quality ____

Artesian pressure ____ lbs.

Controlled by ☐ Valve ☐ Cap ☐ Plug

8. WELL TEST DATA

☐ Pump ☒ Bailer ☐ Other

Discharge G.P.M.	Draw Down	Hours Pumped

9. LITHOLOGIC LOG

Hole Diam.	Depth From	Depth To	Material	Water Yes/No
16	0	22	brown sand	
	22	26	white clay	
	26	58	clay & some gravel	
10	58	63	brown sand & gravel	
	63	79	gravel	X
	79	175	brown sandy clay	

RECEIVED
SEP 12 1990

10.

Work started 12-10-76 finished 1-xx-77

11. DRILLER'S CERTIFICATION

Firm name HENRY LOUCH Co. LICENSE NO. 111

Address 340 [illegible]

Signed by (Firm Official) [signature]

and

(Operator) [signature]

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

41-2026 - volume amt. states "500 AF or 3.5 AF per acre" - since lands are irrigated under Right they are included.

volume 41-2026 - 500 AF - 314 ACRES
volume 41-2019 - none

314 acres x 3.5 = 1099.00 AF
Use condition* R17 (41-2019, 41-2026, 3.5 acre feet per acre.)

DATE OF EXAM 6-16-82

ACREAGE
Found 37
Recommended 37 ✓

Irrigation Requirement 3.5 ✓OK Ac Ft/Ac

245 days

USE
✓ Irrigation Q= 0.26 c.f.s. V= *use condition above AF/Ann. from ✓ May 15 to ✓ Nov 15
— Domestic Q= c.f.s. V= AF/Ann. from to
— Livestock Q= c.f.s. V= AF/Ann. from to

Is water co-mingled? yes no

Name source:
twp. N/S, Rge E/W, B.M., Sec. Sub. ¼ ¼ County

Exchange? yes no

Name source exchanged with:
twp. N/S, Rge E/W, B.M., Sec. Sub. ¼ ¼ County

Point of injection:
twp. N/S, Rge E/W, B.M., Sec. Sub. ¼ ¼ County

Point of exchange:
twp. N/S, Rge E/W, B.M., Sec. Sub. ¼ ¼ County

Total Q measured 0.26 cfs capacity Method of measurement Pressure gage

Total Q recommended 0.26 cfs ✓ Meter No. Type Condition

Total V recommended ~~126.1 AF/ANN~~ *

Recommended Amendments:

P.D. No change
✓ Place of Use - All in NE¼ NW¼ Sec 22 Twp 11S Rg 3E ✓ NEW shown on permit - no amendment necessary.
Other
None

MEASUREMENT CALCULATION:
14 ¾" Sprinkler heads 6.45 psi 53.76 gpm Volume 37 Ac x 3.5 AF/Ac = 129.5 AF
15 ¾" " " 6.42 psi 53.01 " 1.9835 use coefficient ~~256.9 AF/Ann~~
1 ⅝" " " 6.40 psi 4.45 " OK
1 ⅜" " " 6.40 psi 5.31 "
Total use ✓ (0.26 cfs) 126.35 ✓ round to 126.4 AF

SYSTEM DESCRIPTION:
7½ HP Jacuzzi Pump Model 282 2012 2C1 Submersible
Pump was checked and not working properly. Impellers ground
down.

REMARKS:
Water is used on 18 Acres on a Supplemental basis
Related Upp Point of Diversion

37 acres x 0.02 cfs = 0.74 — allow capacity

Examiner's Signature Terry L. Blair Date 7-7-82
Checked by Allen Merritt Date 7/7/82
Approved by Ray Walker Date 1-25-84
Jan 2-9-84

MICROFILMED
SEP 12 1990

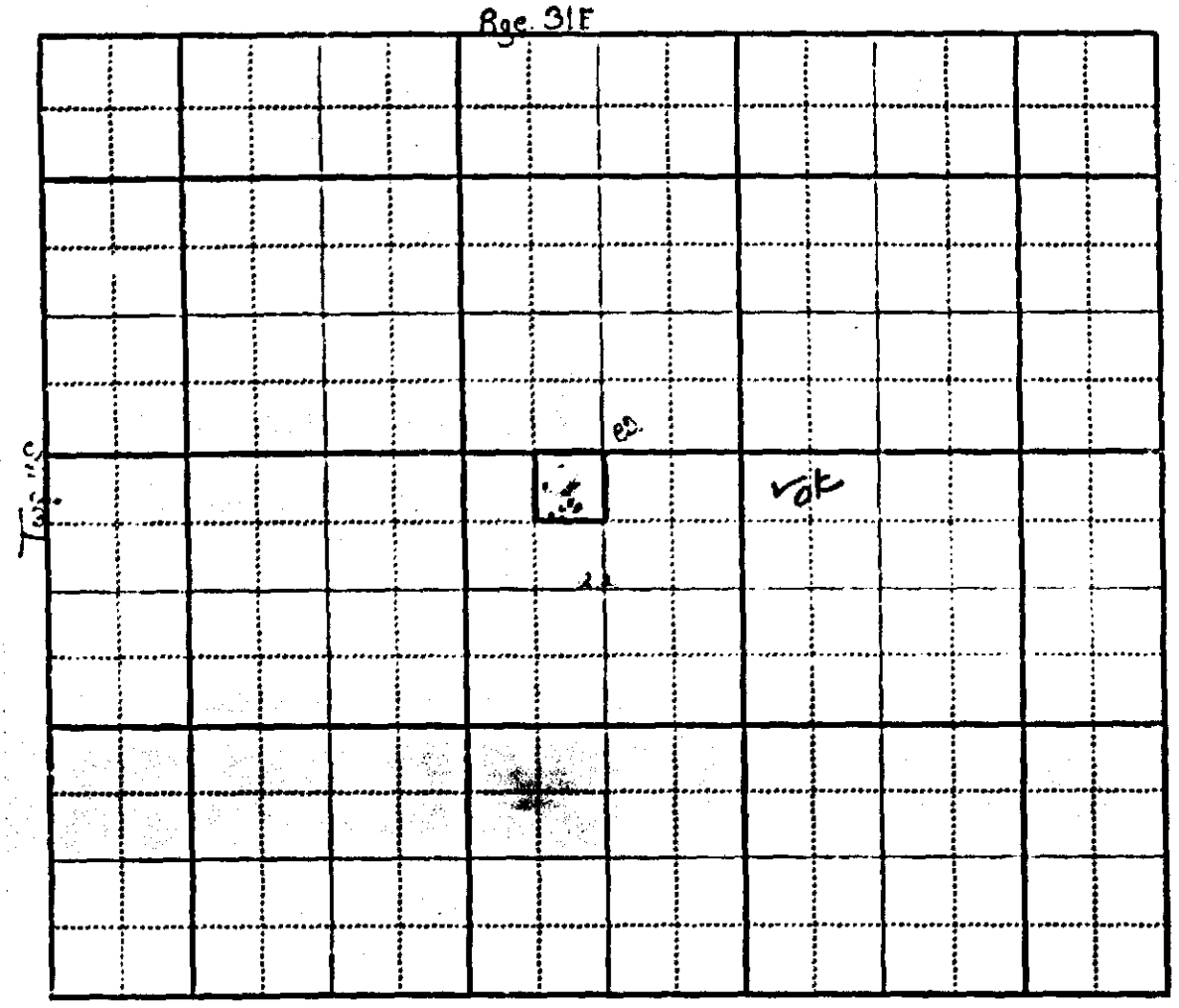
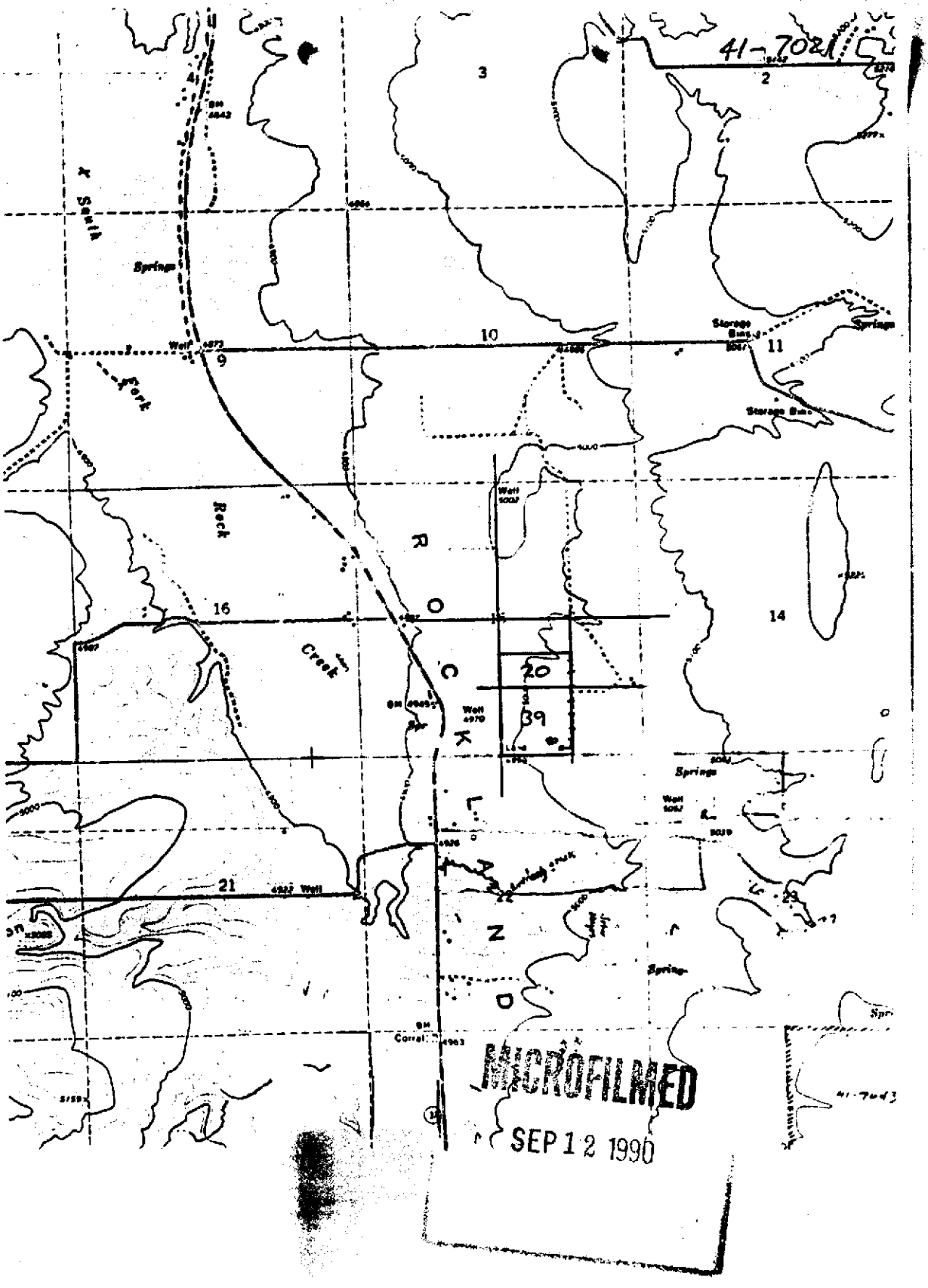


Diagram of System

MICROFILMED
SEP 12 1990


41-7021
3
2
10
11
9
16
14
20
39
21
Rock
Creek
Fork
Spring
Storage
Well
R
O
C
K
L
A
N
D
MICROFILMED
SEP 12 1990

Grant Udy & Sons

DJ

Form No. 211a
10/81

State of Idaho

Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: DRL

Right Number 41-7028 Applicant Udy, Grant & Sons

Purpose of Amendment: ☐ Change point of diversion. ☒ Add diversion point(s).

☐ Increase amount. ☐ Change place of use. ☐ Other _____

CHECK:

- ☑ Description of amended point(s) of diversion.
- ☑ Amount, nature and period of use. If increased, delay date of priority.
- N/A Description of amended places of use. If expanded, delay date of priority.
- ☑ Ownership of point of diversion and place of use.
- N/A Stream index information (reverse).
- ☑ Map.
- ☑ Signature (must be permit holder).
- ☑ Fee.
- N/A Existing water rights from the same source, amended place of use.
- N/A Right number(s) _____
- ☑ Yes ☐ No Should amendment be advertised?
- ☐ Yes ☑ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW:

- ☑ Affidavit of publication received.
- ☑ Amendment published correctly.
- ☑ Protests processed.
- ☐ Approve.
- ☐ Deny.

Conditions _____

Per Memorandum Decision & Order

By Lauren D Haluna Date 1/23/90

STATE OFFICE PROCESSING:

- ☐ Amendment correct and complete. By _____ Date _____
- ☐ Approved copy sent to applicant and to Region. By _____ Date _____

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX

Amendment
Permit no. 41-7028

Applicant: Grant Udy & Sons (Partnership?)

Protestants:
7 UD Ranches → ~~Corporation~~ Partner - Farold Nelson
represented by Ben Laveness
U.S. Ditch Co. -

Bench Ditch Co.

Landing Ditch Waterusers - Nelson & Groom representing these people -

Original Application:
Filed: August 15, 1977
Protested by some of same parties
Jan. 12, 1981 ← Dept. reach decision ~~Eq~~ based on info presented at the conference

Measuring devices or access port installed
Wells were to be cased into the first confining layer

Requested extension in Dec. 1985
Extended until Sept. 1, 1990.

Consider several items of info -

- UOY has several other water rights which apparently overlap - Info therein will be used
- USGS report of the hydrology of the Rockland Basin -
-

Issues to be addressed -

UDY testimony

Wants to pick up another 50 inches

Are both wells being used -
- Don't plan to use both wells -

X Examination by Caveness
west well is artesian - flowing -
east well does not flow -

not pumping east well -
Between 600 - 700 gpm -

2019.
2019 + 2026 total
Other well 2026 - flowing well -
7027 not flowing -
→ pumped two years ago -
7.5 hp submersible
~~7047 flowing well~~
7047 application only -

4 wells in NW 1/4 of Sec. 23
3 are free flowing -
When pumping one is not free flowing -
Goes east and picks up a different vein of water.
10-15 feet higher in elevation) for most

easterly well
Well next to Rockland Highway - 150'
lower than existing
Direction of flow is northwest - about at 45°
At present wells lifting 165 feet - surface to

Not sealed top water for 41-7028 - perforated all the way down - difficult to comply since wells were existing -

Increase acreage by 50 acres.
How much land can irrigate presently -
180 acres irrigated totally now -

Examination by Robinson

41-7027.
How much water - very little water
top water cased out
can run 11 sprinklers

41-2026 - single well - flowing well
1.03

41-2019 + 41-2026 1.03 with pump on east flow well and others

Ask questions about development -

How much water discharges from all three - 2019
Total is 100 inches or 2 cfs - 7028
2026

Surface water coming in - doesn't know

X-Exam by Caraness

30 hp motor on the pump.

Testimony by
Gene Nelson - running.
wells may interfer with flow of the springs -
Is there a tie in between springs and wells.

Roscoe Weston dried a spring up.
~~Off~~ on the west side of Rock Creek.

Wells are at the headwater -

Mr. Richard Udy's statement - closing statement -
90 inches from the
Landing Ditch
30 inches - 60 inches
→ Nelson → Groom

Diverts -

Bench Ditch - Jans Robinson
First major ditch cut - from the
East Fork -
Moratorium on wells - Decision reached
How will ~~the~~ wells be monitored -

Surface & groundwater intricately related -

Richard Nelson - Page 40 - quotes from
USGS study
1/4 of the water returns -
Page 44 last sentence -

Cavaness -

Evidence shows - relationship between groundwater & surface water.

Tapped out existing source -

Asking for an additional source

Top water has not be sealed

He is seeking a different water strata -

1027 - some elevation as proposed -

wasn't worth pumping once surface water was sealed out -

Will expand the burden -

← Recommends denial of application

Cannot get water -

Mr. Udy -

Water was applied for and licensed from each of the wells -

This is the third application

RECEIVED
JAN 11 1990
Department of Water Resources

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR AMENDMENT OF WATER PERMIT NO. 41-7028	NOTICE OF HEARING
Grant Udy and Sons Applicant	SOURCE: Groundwater COUNTY: Power
Bench Ditch Irrigation Co., Landing Ditch Waterusers, U. S. Ditch Co. Protestants	

On June 13, 1989, Grant Udy and Sons, applicant, filed with the Department of Water Resources an application to amend the above captioned permit to appropriate the public waters of the State of Idaho. On July 19, 1989, the Department received a protest against the approval of said application from the Bench Ditch Irrigation Co. Additional protests were received from the Landing Ditch Water Users and the U. S. Ditch Co.

A pre-hearing conference in the matter was held in American Falls on November 16, 1989.

The Department has set the matter of protest for hearing for Tuesday, January 23, 1990 at 1:30 PM in the Eastern Idaho PCA offices, 127 Idaho St. in American Falls.

The hearing will be held in accordance with chapter 2, Title 42 of the Idaho Code and the adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded to all parties to respond and present evidence and argument on all issues involved.

Dated this 9 day of January, 1990.

Loren O. Holmes
Southern Region Manager

MICROFILMED
SEP 12 1990

CONFERENCE AND HEARING PROCEDURE

IN THE MATTER OF A PROTESTED APPLICATION FOR AMENDMENT OF A PERMIT

In accordance with IDAHO CODE, Section 42-211, the following issues are involved in the consideration of the application and protest(s):

1) Will the change result in the diversion and use of more water than originally permitted?

2) Will the rights of others be adversely affected by the change?

PROCEDURE

The procedure normally followed by the department in arriving at a decision on the issues which must be considered is to first hold a conference in the matter and then, if necessary, hold a hearing. If a hearing is held a written decision is issued based on the hearing record.

CONFERENCE

Preliminary to holding a hearing, a pre-hearing conference is held to to familiarize the department and the parties with the matter and to determine if a resolution of the protest(s) is possible without the need for a hearing.

At the conference the department may formulate and simplify the issues, obtain admissions of fact and of documents which will avoid unnecessary proof, arrange for the exchange of proposed exhibits or prepared expert testimony prior to the hearing, limit the number of witnesses, consolidate the examination of witnesses, and advise the parties of the procedure which will be followed at any subsequent hearing.

HEARING

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes at the expense of the requesting party. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

If the hearing is conducted by a hearing officer appointed by the Director, rather than the Director himself, a proposed decision will be issued and the parties will be afforded the opportunity to file exceptions to the proposed decision and present briefs and oral arguments to the Director prior to the issuance of a final decision by the Director. This procedure is required by IDAHO CODE, Section 42-1701A.

The parties by written stipulation, may waive their right to a proposed decision, however, the failure of either party to waive a proposed decision will not predjudice the director's review of a party's evidence and arguments. However, such a waiver will shorten the decision making process and may expedite substantially the issuance of a final decision. Whether compliance with Section 42-1701A is waived will not affect a party's right to petition for a rehearing of the final decision pursuant to rule 11 of the Department's Rules of Practice and Procedure or affect a party's right to appeal the final decision to the District Court.

Under the provisions of the IDAHO CODE, Sections 42-1701A and 67-5215, any court review of the department's decision on appeal shall be confined to the record created before the department.

EFFECT OF FAILURE TO APPEAR AT A CONFERENCE OR HEARING

Failure to appear at the time and place set for a conference or hearing by the applicant or protestant(s) may allow the department to dismiss without predjudice the protest(s) or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

MICROFILMED
SEP 12 1990

Re: Application for Amendment 41-7028, Grant Udy & Sons

Place: American Falls

Date: 16-Nov-1989

Conference held by: Loren Holmes

Assisted by: _____

ROSTER OF ATTENDANCE

NAME	ADDRESS	REPRESENTING
Richard Udy	5111 S Hwy 37,	Udy Bros.
Richard Wray	Box 244 Rockland	Bench Ditch
Gene Nelson	4846 Hwy 37 Rockland	Sanding Ditch
BLM Cummings	Box 70 Am. Falls Idaho	Sanding Ditch
James Robinson	Box 157 Rockld Idaho	Bench Ditch.

MICROFILMED
SEP 12 1990

NAME AND ADDRESS OF SENDER ▶ IDWR

41-7028

1/9/90

Indicate type of mail
☐ Registered
☐ Insured
☐ COD
☒ Certified ☐ Express Mail

Check appropriate block for Registered Mail:
☐ With Postal Insurance
☐ Without Postal Insurance

Affix stamp he certificate of r additional cop

POSTMARK

Line	Number of Article	Name of Addressee, Street, and Post-Office Address	Postage	Fee	Handling Charge	Act. Value (If Regis.)	Insured Value	Due Sender If C.O.D.	R
1	917	Grant Udy + Sons	.25	.85	.95	2.05			
2	918	Landing Ditch Watersusers							
3	919	U.S. Ditch Co.							
4	920	Bench Ditch Irr. Co.							
5	921	Ben Cavaness							
6									
7									
8									
9									
10									
11									
12									
13									
14									
15									

MICROFILMED

SEP 12 1990

Total Number of Pieces Listed by Sender (5)

Total Number of Pieces Received at Post Office

POSTMASTER, PER *(Name of receiving employee)*

The full declaration of value is required on all dor
The maximum indemnity payable for nonnegotiab
ment reconstruction insurance is $50,000 per pi
occurrence. The maximum indemnity payable on
$500. The maximum indemnity payable is $25,00
$400 for Insured Mail. Special handling charges
parcels. Special delivery service also includes special

PS Form 3811, DEC. 1986

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

☆ U.S. GO

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. *(Extra charge)*
2. ☐ Restricted Delivery *(Extra charge)*

3. Article Addressed to:

41-7028

Grant Udy & Sons
5111 S. Hwy 37
Rockland, ID 8327

MICROFILMED

SEP 12 1990

4. Article Number

917

Type of Service:

- ☐ Registered
- ☐ Insured
- ☐ Certified
- ☐ COD
- ☒ Express Mail
- ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature — Address

X

6. Signature — Agent

X

7. Date of Delivery

11 Sep 90

8. Addressee's Address *(ONLY if requested and fee paid)*

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

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JAN 12 1990

Department of Water Resources
Southern Region Office

U.S. MAIL

PENALTY FOR PRIVATE USE, $300

RETURN TO

Print Sender's name, address, and ZIP Code in the space below.

SEP 12 1990

DEPARTMENT OF WATER RESOURCES
21 MAIN AVENUE EAST
TWIN FALLS, IDAHO 83301

MICROFILMED

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. *(Extra charge)*
2. ☐ Restricted Delivery *(Extra charge)*

3. Article Addressed to:

41-7028
Landing Ditch Waterusers
4846 Hwy 37
Rockland, ID 83271

4. Article Number
918

Type of Service:
- ☐ Registered
- ☐ Insured
- ☒ Certified
- ☐ COD
- ☐ Express Mail
- ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature — Address
X Gene Nelson

6. Signature — Agent
X

7. Date of Delivery
11/12/90

8. Addressee's Address *(ONLY if requested and fee paid)*

SEP 14 1990

PAPER FILMED

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

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- Endorse article "Return Receipt Requested" adjacent to number.

RETURN TO

RECEIVED

JAN 16 1990

Department of Water Resources
Southern Region Office

MODIFIED

Print Sender's Name, Address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES
2148 4th AVENUE EAST
TWIN FALLS, IDAHO 83301

U.S.MAIL

PENALTY FOR PRIVATE USE, $300

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. *(Extra charge)*
2. ☐ Restricted Delivery *(Extra charge)*

3. Article Addressed to:

41-7028

U. S. Ditch Company
Rockland, ID 83271

4. Article Number
919

Type of Service:
- ☐ Registered
- ☐ Insured
- ☑ C[illegible]
- ☐ COD
- ☐ E[illegible]
- ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature — Address
X

SEP 1990

8. Addressee's Address *(ONLY if requested and fee paid)*

6. Signature — Agent
X MarDee Porath

7. Date of Delivery
1-12-90

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

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- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RETURN TO

RECEIVED

JAN 16 1990

Department of Water Resources
Southern Region Office

U.S.MAIL

PENALTY FOR PRIVATE USE, $300

Print Sender's name, address, and ZIP Code in the space below.

SEP 12 1990

RECEIVED

DEPARTMENT OF WATER RESOURCES
1446 4th AVENUE EAST
TWIN FALLS, IDAHO 83301

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. *(Extra charge)*
2. ☐ Restricted Delivery *(Extra charge)*

3. Article Addressed to:

41-7028

Bench Ditch Irrigation Co.
c/o James Robinson
Rockland, ID 83271

4. Article Number
920

Type of Service:
- ☐ Registered
- ☐ Insured
- ☒ Certified
- ☐ COD
- ☐ Express Mail
- ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent, and DATE DELIVERED.

5. Signature — Addressee
X

SEP 12 1990

6. Signature — Agent
X

7. Date of Delivery
1/10/90

8. Addressee's Address *(ONLY if requested and fee paid)*

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

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- Attach to front of article if space permits, otherwise affix to back of article.
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RETURN TO

RECEIVED

JAN 12 1990

Department of Water Resources
Southern Region Office

U.S.MAIL

PENALTY FOR PRIVATE USE, $300

Print Sender's name, address, and ZIP Code in the space below.

SEP 12 1990

DEPARTMENT OF WATER RESOURCES
[redacted] AVENUE EAST
[redacted] FALLS, IDAHO 83301

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. *(Extra charge)*
2. ☐ Restricted Delivery *(Extra charge)*

3. Article Addressed to:

41-7028

Ben Cavaness
P.O. Box 70
American Falls, ID 8321[illegible]

MICROFILMED SEP 12 1990

4. Article Number
92[illegible]

Type of Service:
- ☐ Registered
- ☐ Certified
- ☐ Express Mail
- ☐ Insured
- ☐ COD
- ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature — Address
X

6. Signature — Agent
X [signature]

7. Date of Delivery
1-10-90

8. Addressee's Address *(ONLY if requested and fee paid)*

PS Form **3811**, Mar. 1988 * U.S.G.P.O. 1988-212-865 **DOMESTIC RETURN RECEIPT**

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

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- Endorse article "Return Receipt Requested" adjacent to number.

RETURN TO

RECEIVED

JAN 11 1990

Department of Water Resources
Southern Region Office

U.S.MAIL

PENALTY FOR PRIVATE USE, $300

Print sender's name, address, and ZIP Code in the space below.

NICKOLLAMED

DEPT OF WATER RESOURCES
[illegible] 4th AVENUE EAST
TWIN FALLS, IDAHO 83301

NAME AND ADDRESS OF SENDER ▶ IDWR

41-7028

1/9/90

Indicate type of mail
☐ Registered
☐ Insured
☐ COD
☒ Certified ☐ Express Mail

Check appropriate block for Registered Mail:
☐ With Postal Insurance
☐ Without Postal Insurance

Affix stamp he certificate of r additional cop

POSTMARK A

Line	Number of Article	Name of Addressee, Street, and Post-Office Address	Postage	Fee	Handling Charge	Act. Value (If Regis.)	Insured Value	Due Sender If C.O.D.	R F
1	917 ✓	Grant Udy + Sons	.25	.85	.95	2.05			
2	918 ✓	Landing Ditch Waterusers							
3	919 ✓	U.S. Ditch Co.							
4	920 ✓	Bench Ditch Irr. Co.							
5	921 ✓	Ben Cavaness							
6									
7									
8									
9		11/6/90 all in							
10									
11									
12									
13									
14									
15									

Total Number of Pieces Listed by Sender: 5

Total Number of Pieces Received at Post Office

FILMED

12 1990

POSTMASTER, PER *(Name of receiving employee)*

The full declaration of value is required on all dor The maximum indemnity payable for nonnegotiab ment reconstruction insurance is $50,000 per pie occurrence. The maximum indemnity payable on $500. The maximum indemnity payable is $25,000 $400 for Insured Mail. Special handling charges parcels. Special delivery service also includes special

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

★ U.S. GO

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

02-Jan-1990

Ben Cavaness
P.O. Box 70
American Falls, ID 83211

Re: Application for amendment of permit 41-7028, Grant Udy & Sons

Dear Mr Cavaness:

This office is tentatively scheduling the above matter for hearing on Tuesday, January 23, 1990 in American Falls.

Notices formally setting the hearing will be mailed about January 9.

If you have a conflict with the above date, please let me know before the notices are mailed.

Very Truly yours,

Loren O. Holmes, P. E.
Southern Region Manager

SEP 17 1990

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 2148 4th Ave. East. Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

02-Jan-1990

Bench Ditch Irrigation Co.
c/o James Robinson
Rockland, ID 83271

Re: Application for amendment of permit 41-7028, Grant Udy & Sons

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Very Truly yours,

Loren O Holmes

Loren O. Holmes, P. E.
Southern Region Manager

MICROFILMED
SEP 12 1990

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

02-Jan-1990

Grant Udy & Sons
5111 S. Hwy 37
Rockland, ID 83271

Re: Application for amendment of permit 41-7028, Grant Udy & Sons

Gentlemen:

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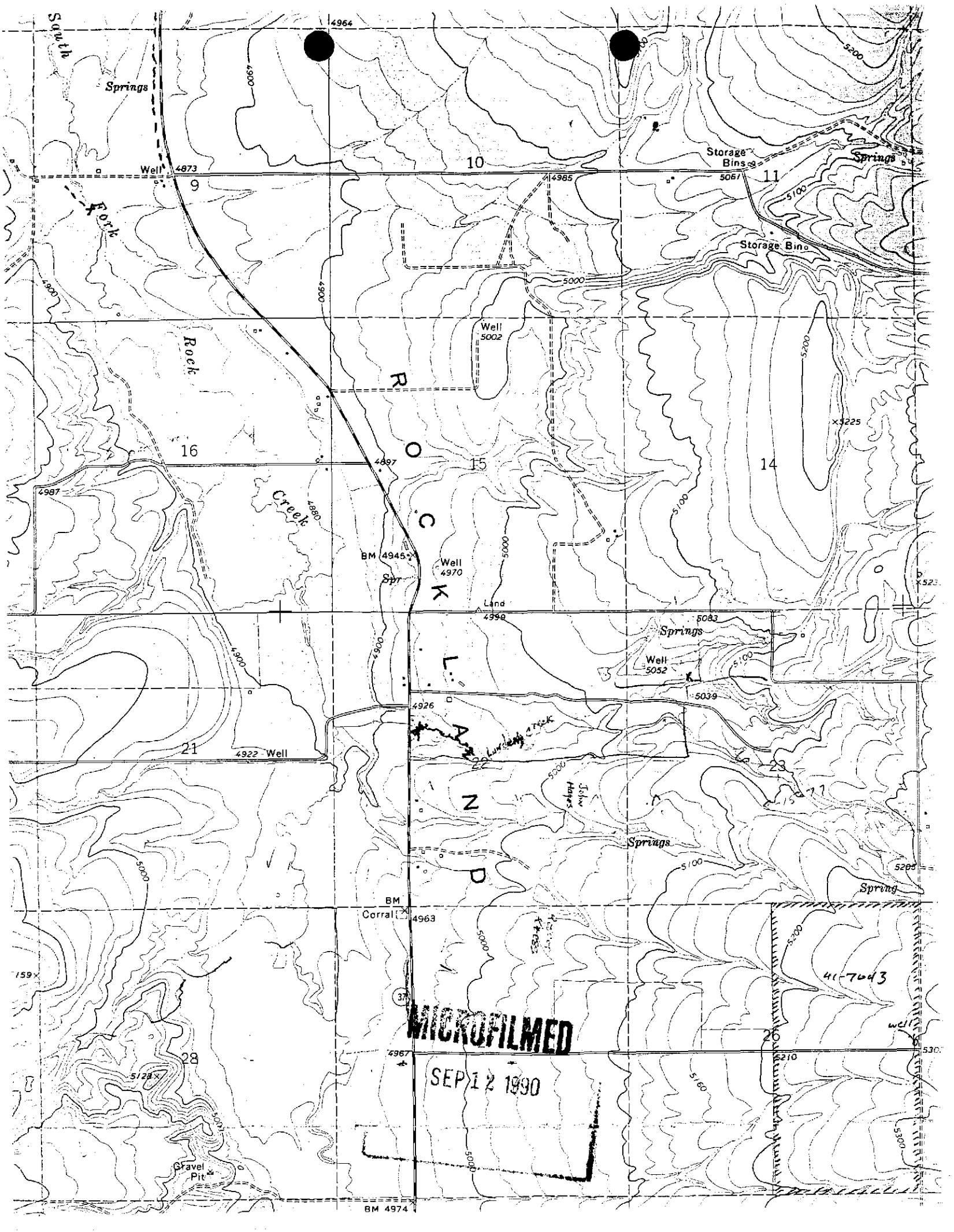
Notices formally setting the hearing will be mailed about January 9.

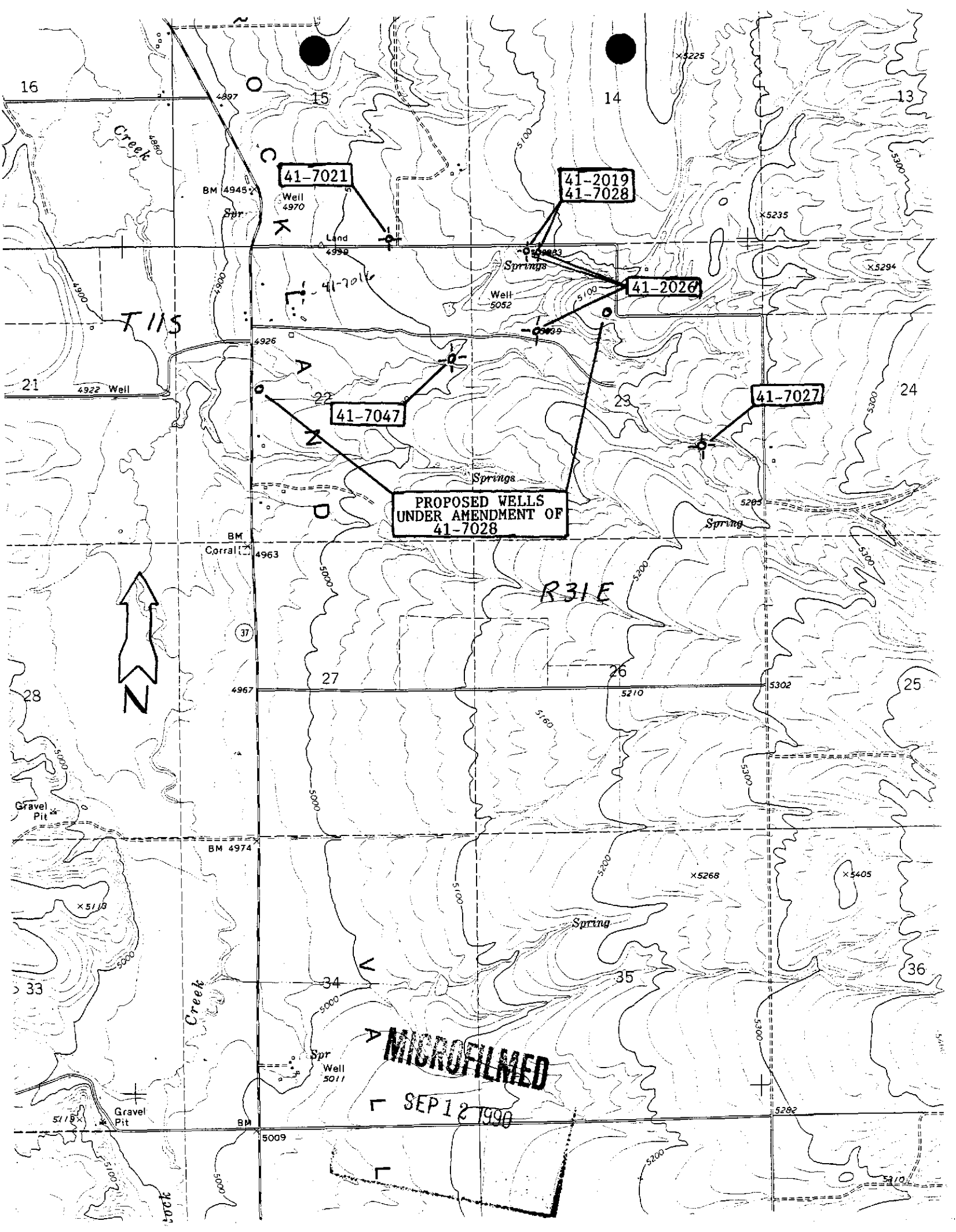
If you have a conflict with the above date, please let me know before the notices are mailed.

Very Truly yours,

Loren O. Holmes, P. E.
Southern Region Manager

MICROFILMED
SEP 12 1990


South Fork
Springs
Well 4873
Storage Bins
Springs
Storage Bins
Well 5002
Rock Creek
ROCK LAND
Well 4970
BM 4945
Spr
Land 4999
Springs
Well 5052
Well 4922
Lundberg Creek
John Hayes
Springs
Spring
BM Corral 4963
MICROFILMED
SEP 12 1990
Gravel Pit
BM 4974
10
11
9
16
15
14
21
22
23
28
27


41-7021
41-2019
41-7028
41-2026
41-7047
41-7027
PROPOSED WELLS
UNDER AMENDMENT OF
41-7028
T11S
R31E
MICROFILMED
SEP 12 1990

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS SUMMARY REPORT

WR-NUMBER: 41-02019
CURRENT OWNER: GRANT UDY, LLOYD UDY
PRIORITY DATE: 09-12-1958
STAGE: LICENSE

COUNTY: POWER
SOURCE: GROUNDWATER
TRIBUTARY:

WATER USE:	DIVERSION RATE:	DIVERSION VOLUME:	PERIOD FROM:	PERIOD TO:
IRRIGATION	0.170			
DOMESTIC				
TOTAL:	0.170			

REMARKS: 2 P/D IN NWNW, S23, T11S, R31E.

POINT OF DIVERSION:	Twp	Rge	Sec	Tract	Lot
	11S	31E	23	NW NW	

PLACE OF USE:	Twp	Rge	Sec	Tract	Lot	Acres
	11S	31E	22	NW NE		24.0
	11S	31E	22	SW NE		32.0
	11S	31E	22	SE NE		20.0
	11S	31E	22	NE NW		36.0
	11S	31E	22	SE NW		26.0
				TOTAL ACRES:		138.0

MICROFILMED
SEP 12 1990

WR-NUMBER: 41-02026
CURRENT OWNER: GRANT UDY, LLOYD UDY
PRIORITY DATE: 08-30-1966
STAGE: LICENSE

COUNTY: POWER
SOURCE: GROUNDWATER
TRIBUTARY:

WATER USE:	DIVERSION RATE:	DIVERSION VOLUME:	PERIOD FROM:	PERIOD TO:
IRRIGATION	1.030	500.00	03/15	11/15
TOTAL:	1.030	500.00		

REMARKS: 2 P/D IN NWNW, S23, T11S, R31E.
SUBJECT TO THE CONDITION THAT THE MAXIMUM RATE OF DIVERSION SHALL NOT EXCEED 1.03 CFS WHEN COMBINED WITH LIC. NO. G-27552/41-2019.

POINT OF DIVERSION:	Twp	Rge	Sec	Tract	Lot
	11S	31E	23	NW NW	
	11S	31E	23	SW NW	

PLACE OF USE:	Twp	Rge	Sec	Tract	Lot	Acres
	11S	31E	23	NE NW		40.0
	11S	31E	23	NW NW		20.0
	11S	31E	23	SW NW		20.0
	11S	31E	23	SE NW		40.0
	11S	31E	22	NW NE		40.0
	11S	31E	22	SW NE		32.0
	11S	31E	22	SE NE		20.0
	11S	31E	22	NE NW		36.0
	11S	31E	22	SE NW		26.0
				TOTAL ACRES:		314.0

WR-NUMBER: 41-07016
CURRENT OWNER: GRANT UDY & SONS
PRIORITY DATE: 06-20-1975
STAGE: LICENSE

COUNTY: POWER
SOURCE: GROUNDWATER
TRIBUTARY:

WATER USE:	DIVERSION RATE:	DIVERSION VOLUME:	PERIOD FROM:	PERIOD TO:
IRRIGATION	0.260		03/15	11/15
TOTAL:	0.260			

REMARKS: THIS RT. WHEN COMBINED WITH RTS. 41-2019 & 41-2026 SHALL NOT EXCEED 3.5 AF/AC/ANNUM.

	Twp	Rge	Sec	Tract	Lot	Acres
POINT OF DIVERSION:	11S	31E	22	NE NW		
PLACE OF USE:	11S	31E	22	NE NW		37.0
				TOTAL ACRES:		37.0

WR-NUMBER: 41-07021
CURRENT OWNER: GRANT UDY & SONS
PRIORITY DATE: 01-27-1976
STAGE: LICENSE

COUNTY: POWER
SOURCE: GROUNDWATER
TRIBUTARY:

WATER USE:	DIVERSION RATE:	DIVERSION VOLUME:	PERIOD FROM:	PERIOD TO:
IRRIGATION	0.420	205.00	03/15	11/15
TOTAL:	0.420	205.00		

	Twp	Rge	Sec	Tract	Lot	Acres
POINT OF DIVERSION:	11S	31E	15	SW SE		
PLACE OF USE:	11S	31E	15	SW SE		39.0
	11S	31E	15	NW SE		20.0
				TOTAL ACRES:		59.0

AMENDED
SEP 12 1990

WR-NUMBER: 41-07027
CURRENT OWNER: GRANT UDY & SONS
PRIORITY DATE: 08-15-1977
STAGE: PERMIT

COUNTY: POWER
SOURCE: GROUNDWATER
TRIBUTARY:

WATER USE:	DIVERSION RATE:	DIVERSION VOLUME:	PERIOD FROM:	PERIOD TO:
IRRIGATION	1.000		03/15	11/15
DIVERSION TO STORAGE	1.000		03/15	11/15
IRRIGATION STORAGE		8.00	01/01	12/31
IRRIGATION FROM STORAGE		8.00	03/15	11/15

REMARKS: THE WELL SHALL BE EQUIPPED WITH A NONPERFORATED CASING FROM THE LAND SURFACE DOWN INTO THE FIRST CONFINING LAYER IN ORDER TO PREVENT INTERFERENCE WITH SURFACE WATER FLOWS.
A MEASURING DEVICE OR ACCESS PORT OF THE TYPE APPROVED BY THIS DEPT. SHALL BE PERMANENTLY INSTALLED & MAINTAINED AS PART OF THE

WR-NUMBER: 41-07027 (cont'd)

REMARKS:
DIVERTING WORKS.

POINT OF DIVERSION:	Twp	Rge	Sec	Tract	Lot
	11S	31E	23	NE SE	

PLACE OF USE:	Twp	Rge	Sec	Tract	Lot	Acres
	11S	31E	23	SW NE		40.0
	11S	31E	23	SE NW		40.0
	11S	31E	23	NE SW		40.0
	11S	31E	23	NE SE		40.0
	11S	31E	23	NW SE		40.0
				TOTAL ACRES:		200.0

WR-NUMBER: 41-07028
CURRENT OWNER: GRANT UDY & SONS
PRIORITY DATE: 08-15-1977
STAGE: PERMIT

COUNTY: POWER
SOURCE: GROUNDWATER
TRIBUTARY:

WATER USE:	DIVERSION RATE:	DIVERSION VOLUME:	PERIOD FROM:	PERIOD TO
IRRIGATION	2.000		03/15	11/15
IRRIGATION STORAGE		11.00	01/01	03/15
IRRIGATION FROM STORAGE		11.00	03/15	11/15
DIVERSION TO STORAGE	2.000		11/15	03/15
TOTAL:	2.000	11.00		

MICROFILMED
SEP 12 1990

REMARKS: 2 P/D IN NWNW, S23, T11S, R31E.
A MEASURING DEVICE OR ACCESS PORT OF A TYPE APPROVED BY THIS DEPT. SHALL BE PERMANENTLY INSTALLED & MAINTAINED AS A PART OF THE DIVERTING WORKS.
THE WELLS SHALL BE EQUIPPED WITH NONPERFORATED CASING FROM LAND SURFACE DOWN INTO THE FIRST CONFINING LAYER IN ORDER TO PREVENT INTERFERENCE WITH SURFACE WATER FLOWS.

POINT OF DIVERSION:	Twp	Rge	Sec	Tract	Lot
	11S	31E	23	NW NW	

PLACE OF USE:	Twp	Rge	Sec	Tract	Lot	Acres
	11S	31E	23	NE NW		40.0
	11S	31E	23	NW NW		40.0
	11S	31E	23	SW NW		40.0
	11S	31E	22	NE NE		40.0
	11S	31E	22	NW NE		40.0
	11S	31E	22	SW NE		40.0
	11S	31E	22	SE NE		40.0
	11S	31E	22	NE NW		25.0
				TOTAL ACRES:		340.0

WR-NUMBER: 41-07047
CURRENT OWNER: GRANT UDY & SONS
PRIORITY DATE: 01-04-1980
STAGE: APPLICATION

WR-NUMBER: 41-07047 (cont'd)

CURRENT OWNER:
GRANT UDY

COUNTY: POWER
SOURCE: GROUNDWATER TRIBUTARY:

WATER USE:	DIVERSION RATE:	DIVERSION VOLUME:	PERIOD FROM:	PERIOD TO:
IRRIGATION	2.000		03/15	11/15
DIVERSION TO STORAGE	2.000		03/15	11/15
IRRIGATION STORAGE		110.00	03/15	11/15
IRRIGATION FROM STORAGE		110.00	03/15	11/15
TOTAL:	2.000	110.00		

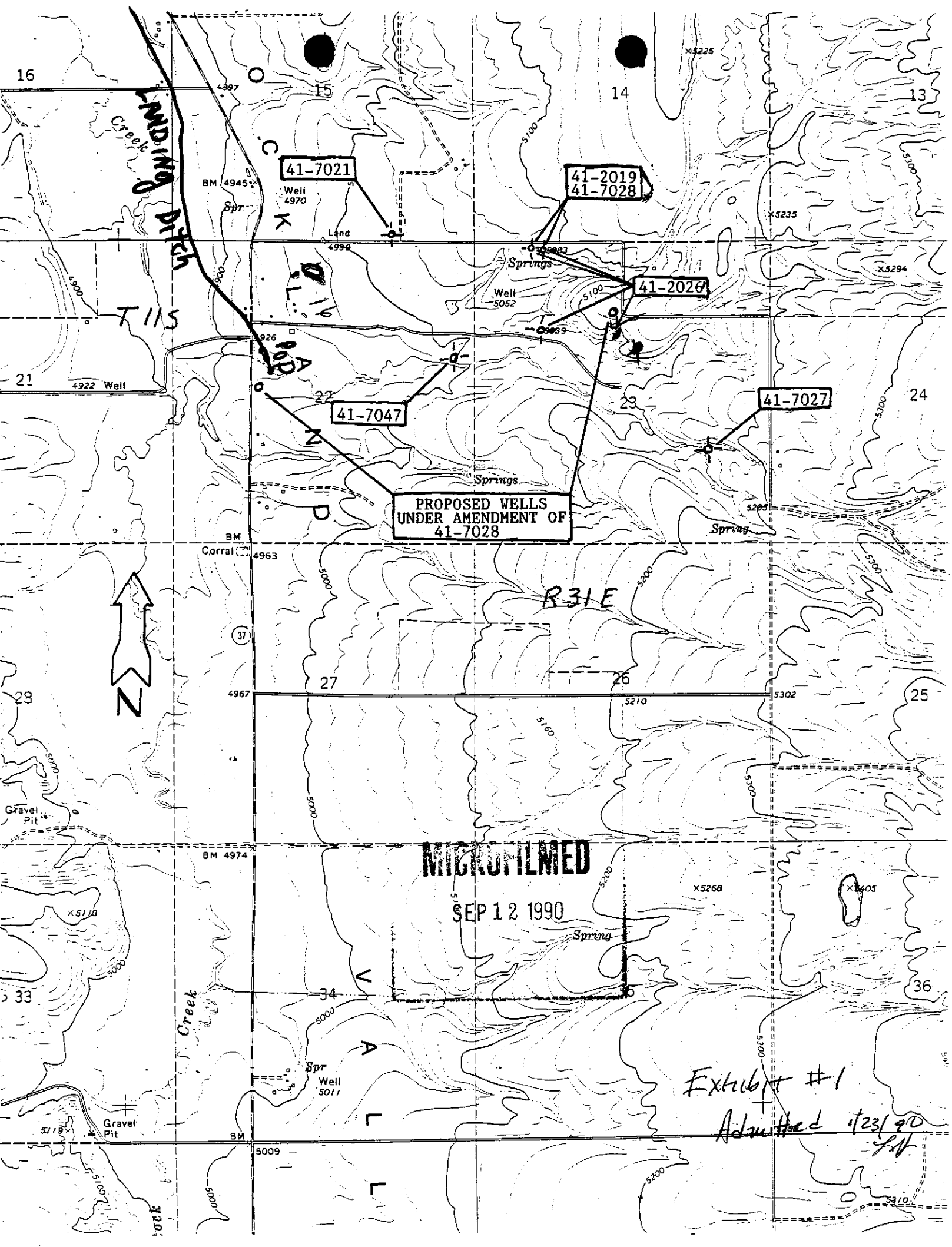
REMARKS: RESERVOIR WILL BE FILLED SEVERAL TIMES DURING THE IRRIG. SEASON
PROTESTANTS: FAROLD J. NELSON, RICHARD MAY

POINT OF DIVERSION:	Twp	Rge	Sec	Tract	Lot
	11S	31E	22	SE NE	

PLACE OF USE:	Twp	Rge	Sec	Tract	Lot	Acres
	11S	31E	23	NW NW		40.0
	11S	31E	23	SW NW		40.0
	11S	31E	22	NE NE		40.0
	11S	31E	22	NW NE		40.0
	11S	31E	22	SW NE		40.0
	11S	31E	22	SE NE		40.0
	11S	31E	22	NE NW		25.0
	11S	31E	22	SE NW		35.0
				TOTAL ACRES:		300.0

MICROFILMED
SEP 12 1990

END OF REPORT


41-7021
41-2019
41-7028
41-2026
41-7047
41-7027
PROPOSED WELLS
UNDER AMENDMENT OF
41-7028
T11S
R31E
LINDSAY CANAL
Springs
Spring
Well
Gravel Pit
BM 4945
BM 4974
BM
Corral
4963
4967
5302
5210
5009
5011
5119
5268
5405
5310
MICROFILMED
SEP 12 1990
Exhibit #1
Admitted 1/23/90

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

04-Dec-1989

Ben Cavaness
P.O. Box 70
American Falls, ID 83211

Re: Application for amendment of permit 41-7028, Grant Udy & Sons

Dear Mr. Cavaness:

At the pre-hearing conference on November 16, a report of groundwater rights on the Udy property was requested.

Enclosed is a printout of rights in the name of Grant Udy & Sons in the Landing Creek area. A map is included showing the locations of the wells.

This report is being sent to all parties.

If I can be of further assistance, please let me know.

Very Truly yours,

Loren O. Holmes, P. E.
Southern Region Manager

MICROFILMED
SEP 12 1990

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 2148 4th Ave. East. Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

04-Dec-1989

Grant Udy & Sons
5111 S. Hwy 37
Rockland, ID 83271

Re: Application for amendment of permit 41-7028, Grant Udy & Sons

Gentlemen:

At the pre-hearing conference on November 16, a report of groundwater rights on the Udy property was requested.

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Loren O. Holmes, P. E.
Southern Region Manager

MICROFILMED
SEP 12 1990

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

04-Dec-1989

Landing Ditch Waterusers
4846 Hwy 37
Rockland, ID 83271

Re: Application for amendment of permit 41-7028, Grant Udy & Sons

Gentlemen:

At the pre-hearing conference on November 16, a report of groundwater rights on the Udy property was requested.

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Very Truly yours,

Loren O. Holmes, P. E.
Southern Region Manager

MICROFILMED
SEP 12 1990

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

04-Dec-1989

U. S. Ditch Company
Rockland, ID 83271

Re: Application for amendment of permit 41-7028, Grant Udy & Sons

Gentlemen:

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Very Truly yours,

Loren O. Holmes, P. E.
Southern Region Manager

MICROFILMED
SEP 12 1990

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

04-Dec-1989

Bench Ditch Irrigation Co.
c/o James Robinson
Rockland, ID 83271

Re: Application for amendment of permit 41-7028, Grant Udy & Sons

Dear Mr. Robinson:

At the pre-hearing conference on November 16, a report of groundwater rights on the Udy property was requested.

Enclosed is a printout of rights in the name of Grant Udy & Sons in the Landing Creek area. A map is included showing the locations of the wells.

This report is being sent to all parties.

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Very Truly yours,

Loren O. Holmes, P. E.
Southern Region Manager

MICROFILMED
SEP 12 1990

Re: Application for Amendment 41-7028, Grant Udy & Sons

Place: American Falls

Date: 16-Nov-1989

Conference held by: Loren Holmes

Assisted by: _____

ROSTER OF ATTENDANCE

NAME	ADDRESS	REPRESENTING
Richard Udy	5111 S Hwy 37	Udy Bros.
Richard Wray	Box 244 Rockland	Bench Ditch
Gene Nelson	4846 Hwy 37 Rockland	Landing Ditch
Bill Cammack	Box 70 Am. Falls Idaho	Landing Ditch
James Robinson	Box 157 Rockland Idaho	Bench Ditch.

MICROFILMED
SEP 12 1990

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR AMENDMENT OF WATER PERMIT NO. 41-7028	NOTICE OF PRE-HEARING CONFERENCE
Grant Udy and Sons Applicant	SOURCE: Groundwater COUNTY: Power
Bench Ditch Irrigation Co., Landing Ditch Waterusers, U. S. Ditch Co. Protestants	

On June 13, 1989, Grant Udy and Sons, applicant, filed with the Department of Water Resources an application to amend the above captioned permit to appropriate the public waters of the State of Idaho. On July 19, 1989, the Department received a protest against the approval of said application from the Bench Ditch Irrigation Co. Additional protests were received from the Landing Ditch Water Users and the U. S. Ditch Co.

The Department has set the matter of protest for conference for November 16, 1989 at 1:00 PM in the Eastern Idaho PCA offices, 127 Idaho St. in American Falls.

The purpose of the conference is to formulate and simplify the issues, obtain admissions of fact and of documents which will avoid unnecessary proof, arrange for the exchange of proposed exhibits or prepared expert testimony prior to the hearing, limit the number of witnesses, consolidate the examination of witnesses, and advise the parties of the procedure which will be followed at any subsequent hearing.

The conference will be held in accordance with chapter 2, Title 42 of the Idaho Code and the adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded to all parties to respond and present evidence and argument on all issues involved.

Dated this 30 day of October, 1989.

MICROFILMED
SEP 12 1990

Loren O. Holmes
Southern Region Manager

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

MICROFILMED

SEP 12 1990

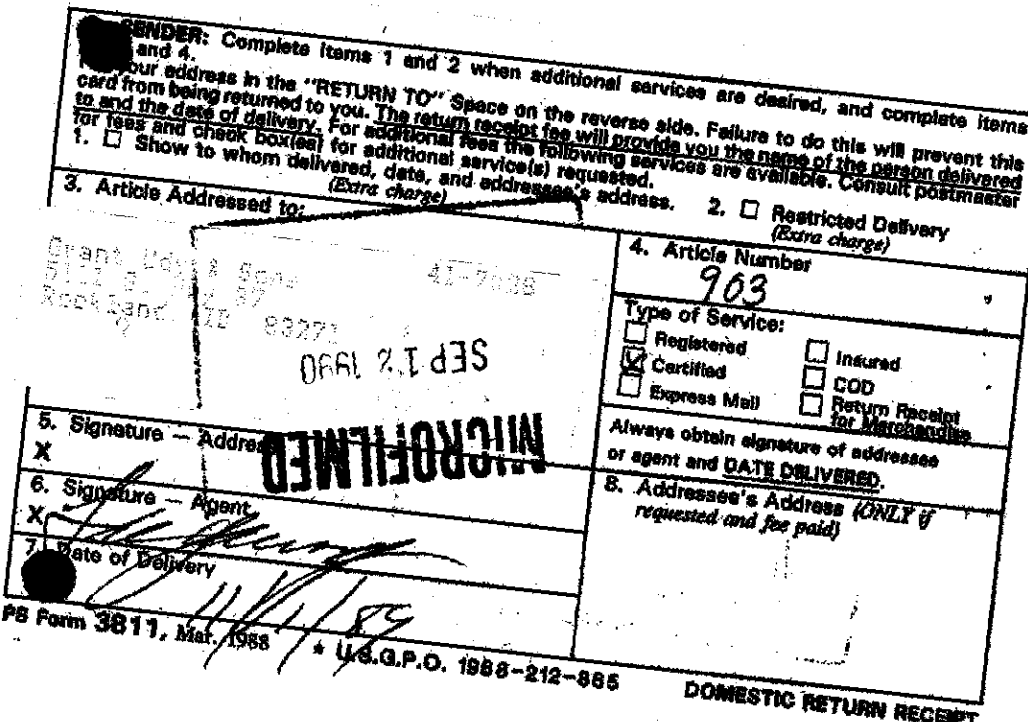
U.S.MAIL

PENALTY FOR PRIVATE USE, $300

RETURN TO

Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES
2148 4th AVENUE EAST
TWIN FALLS, IDAHO 83301



SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.
1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge)
2. ☐ Restricted Delivery (Extra charge)
3. Article Addressed to:
4. Article Number 903
Type of Service:
☐ Registered ☐ Insured
☑ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise
Always obtain signature of addressee or agent and DATE DELIVERED.
5. Signature — Addressee X
6. Signature — Agent X
7. Date of Delivery
8. Addressee's Address (ONLY if requested and fee paid)
SEP 13 1990
MICROFILMED
PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS
Print your name, address, and ZIP Code in the space below.
- **Complete items 1, 2, 3, and 4 on the reverse.**
- **Attach to front of article if space permits, otherwise affix to back of article.**
- **Endorse article "Return Receipt Requested" adjacent to number.**

RECEIVED
NOV 3 1989
Department of Water Resources
Southern Region Office

U.S.MAIL

PENALTY FOR PRIVATE USE, $300

RETURN TO ➡ Print Sender's name, address, and ZIP Code in the space below.

MICROFILMED
SEP 12 1990

DEPARTMENT OF WATER RESOURCES
2143 4th AVENUE EAST
TWIN FALLS, IDAHO 83301

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.

3. Article Addressed to:

AL-7028

Depot Alert Irrigation Co
c/o James Robinson
Rockland, ID 83259

SEP 12 1990

MISROUTED

4. Article Number
900

Type of Service:
☐ Registered ☐ Insured
☐ Certified ☐ COD
☐ Express Mail

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature — Addressee
X

6. Signature — Agent
X Darlis Robinson

7. Date of Delivery
10/31/89

8. Addressee's Address *(ONLY if requested and fee paid)*

PS Form 3811, Feb. 1986 DOMESTIC RETURN RECEIPT

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

SEP 1 ½ 1989

U.S.MAIL

PENALTY FOR PRIVATE USE, $300

RETURN TO

Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES
2148 4th AVENUE EAST
TWIN FALLS, IDAHO 83301

RECEIVED
NOV 6 1989
Department of Water Resources
Southern Region Office

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☒ Restricted Delivery.

3. Article Addressed to:

E. F. Hitch Company
Rockland, ID 83271

SEP 18 1990

UNCLAIMED

4. Article Number

901

Type of Service:

☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature — Addressee

X

6. Signature — Agent

X Judy L. Pratt

7. Date of Delivery

11/3/89

8. Addressee's Address *(ONLY if requested and fee paid)*

PS Form 3811, Feb. 1986

DOMESTIC RETURN RECEIPT

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS
Print your name, address, and ZIP Code in the space below.
- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

MICROFILMED
SEP 12 1990

U.S. MAIL

PENALTY FOR PRIVATE USE, $300

RETURN TO

Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES
2143 4th AVENUE EAST
TWIN FALLS, IDAHO 83301

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.

3. Article Addressed to:

SEP 12 1990

MICROFILMED

4. Article Number
902

Type of Service:
- ☐ Registered
- ☒ Certified
- ☐ Express Mail
- ☐ Insured
- ☐ COD

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature — Addressee
X

6. Signature — Agent
X Gene Nelson

7. Date of Delivery
11/2/89

8. Addressee's Address *(ONLY if requested and fee paid)*

PS Form 3811, Feb. 1986 DOMESTIC RETURN RECEIPT

FOR REGISTERED, INSURED, C.O.D., CERTIFIED, AND EXPRESS MAIL

NAME AND ADDRESS OF SENDER ▶ IDWR 10-30-84

Indicate type of mail
☐ Registered
☐ Insured
☐ COD
☒ Certified ☐ Express Mail

Check appropriate block for Registered Mail:
☐ With Postal Insurance
☐ Without Postal Insurance

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

Line	Number of Article	Name of Addressee, Street, and Post-Office Address	Postage	Fee	Handling Charge	Act. Value (If Regis.)	Insured Value	Due Sender If C.O.D.	R. R. Fee	S. D. Fee	S. H. Fee	Rest. Del. Fee / Remarks
1	900 ↓	Bench Ditch Irrigation Co 41-7028	.25	.85	.95	2.05						
2	901 ↓	U.S. Ditch Co.	〃	〃	〃	〃						
3	902 ↓	Landing Ditch Watersers	〃	〃	〃	〃						
4	903 ✓	Grant Udy & Sons	〃	〃	〃	〃						
5	904	James Juan Spilett 41-00013	.25	.85	.95	2.05						
6	905	41-00088 JUD Ranches	〃	〃	〃	〃						
7	906	U.S. Ditch Co	〃	〃	〃	〃						
8	907	Bench Ditch Irrig. Co	〃	〃	〃	〃						
9												
10												
11												
12												
13												
14												
15												

RECEIVED SEP 12 1991

Total Number of Pieces Listed by Sender	Total Number of Pieces Received at Post Office	POSTMASTER, PER *(Name of receiving employee)*
8		

The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for nonnegotiable documents under Express Mail document reconstruction insurance is $50,000 per piece subject to a limit of $500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is $500. The maximum indemnity payable is $25,000 for Registered Mail, $400 for COD and $400 for Insured Mail. Special handling charges apply only to Third- and Fourth-Class parcels. Special delivery service also includes special handling service.

PS Form 3877, Feb. 1982

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

☆ U.S. GOVERNMENT PRINTING OFFICE: 1984-445-138

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 16, 1989

Grant Udy & Sons
5111 S. Hwy 37
Rockland, ID 83271

Re: Application for Amendment of permit No. 41-7028, Grant Udy & Sons

Gentlemen:

This office is tentatively scheduling the matter of protests for a pre-hearing conference for November 16, 1989. Notices formally setting the conference time and place will be mailed about October 30.

The purpose of the conference will be to familiarize the department and the parties with the issues and to provide a forum for possible resolution of the matter.

If you will not be available on this date, please advise this office prior to formal setting.

Very Truly yours,

Loren O. Holmes, P. E.
Southern Region Manager

MICROFILMED
SEP 12 1990

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 16, 1989

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c/o James Robinson
Rockland, ID 83271

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Southern Region Manager

MICROFILMED
SEP 12 1990

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 16, 1989

U. S. Ditch Company
Rockland, ID 83271

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Southern Region Manager

MICROFILMED
SEP 12 1990

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 16, 1989

Landing Ditch Waterusers
4846 Hwy 37
Rockland, ID 83271

Re: Application for Amendment of permit No. 41-7028, Grant Udy & Sons

Gentlemen:

This office is tentatively scheduling the matter of protests for a pre-hearing conference for November 16, 1989. Notices formally setting the conference time and place will be mailed about October 30.

The purpose of the conference will be to familiarize the department and the parties with the issues and to provide a forum for possible resolution of the matter.

If you will not be available on this date, please advise this office prior to formal setting.

Very Truly yours,

Loren O. Holmes, P. E.
Southern Region Manager

MICROFILMED
SEP 12 1990

10-Aug-1989

Landing Ditch Waterusers
4846 Hwy 37
Rockland, ID 83271

Re: Application for Amendment of Permit No. 41-7028

Gentlemen:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

The following are the principal items the Department can consider in either approving or denying an application for amendment of a permit (Section 42-211, IDAHO CODE):

1) Will the change result in the diversion and use of more water than originally permitted?

2) Will the rights of others be adversely affected by the change?

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB

MICROFILMED
SEP 12 1990

10-Aug-1989

U. S. Ditch Company
Rockland, ID 83271

Re: Application for Amendment of Permit No. 41-7028

Gentlemen:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

The following are the principal items the Department can consider in either approving or denying an application for amendment of a permit (Section 42-211, IDAHO CODE):

1) Will the change result in the diversion and use of more water than originally permitted?

2) Will the rights of others be adversely affected by the change?

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB

MICROFILMED
SEP 12 1990

10-Aug-1989

Bench Ditch Irrigation Co.
c/o James Robinson
Rockland, ID 83271

Re: Application for permit No. 41-7028

Dear Mr. Robinson:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

The following are the principal items the Department can consider in either approving or denying an application for amendment of a permit (Section 42-211, IDAHO CODE):

1) Will the change result in the diversion and use of more water than originally permitted?

2) Will the rights of others be adversely affected by the change?

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB

MICROFILMED
SEP 12 1990

09-Aug-1989

Grant Udy & Sons
5111 S. Hwy 37
Rockland, ID 83271

Re: Application for Amendment of permit No. 41-7028

Gentlemen:

Enclosed are copies of protests filed against the amendment of the above referenced permit. The Department suggests you contact the protestants directly in an effort to determine nature of the protests and to attempt to resolve the protests.

The following are the principal items the Department can consider in either approving or denying an application for amendment of a permit (Section 42-211, IDAHO CODE):

1) Will the change result in the diversion and use of more water than originally permitted?

2) Will the rights of others be adversely affected by the change?
If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB

MICROFILMED
SEP 12 1990

Idaho Department of
Water Resourses

We protest the approval of the Amending of Permit Number 41-7028, Landing Ditch Water Users.

W Ranch By
Gene Nelson
Stan Nelson

RECEIVED
SEP 12 1990
JUL 24 1989
Department of Water Resources
Southern Region Office

4846 Hy. 37
Rockland, Idaho
83271

ROCKLAND, ID
JUL 21 PM 1989
83271



Idaho Department of Water Resources
48 4th Avenue East
Twin Falls, Idaho
83301

3
SEP 12 1989
MICROFILMED

U.S. Ditch Company
Rockland, Idaho 83271
July 20, 1989

R. Keith Higginson, Director
Idaho Department of Water Resources
2148 4th Avenue East
Twin Falls, Idaho 83301

Dear Sir:

We the members of the U.S. Ditch Company, Rockland, Idaho, send this letter in protest against the approval of the amending of Permit No. 41-7028, by Grant Udy and Sons of Rockland.

Thank you,

U.S. Ditch Company

RECEIVED
JUL 24 1989
Department of Water Resources
Southern Region Office

MICROFILMED
SEP 12 1990

14 July 1989

Bench Ditch Irrgation Co.
c/o James Robinson
Rockland, Idaho 83271

Dear Sirs:

The Bench Ditch Irrgation Co comprised of waterusers from the East Fork of Rock Creek do protest the proposed amendment to water right #41-7028. We feel that with the Snake River adjudication and the water study that was done in the district some 10 years ago, there should be a determination as to how the proposed wells will affect the springs that surface in that area.

This water right is in the name of Grant Udy & Sons.

Sincerely,

James Robinson
Curtis Munk
Richard May
Richard Nelson
Merrill E. Walker

Directors

RECEIVED
JUL 19 1989
Department of Water Resources
Southern Region Office

RECEIVED
SEP 12 1989

26-Jun-1989

Grant Udy & Sons
c/o Richard Udy
5111 Hwy. 37
Rockland, ID 83271

Re: Application for Amendment, 41-7028

Gentlemen:

The Department of Water Resources acknowledges receipt of your application for amendment of a permit.

This office will be advertising the application in the Power County Press on 7/5 & 7/12/89. A period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. A typical processing time for an unprotested application is about eight weeks.

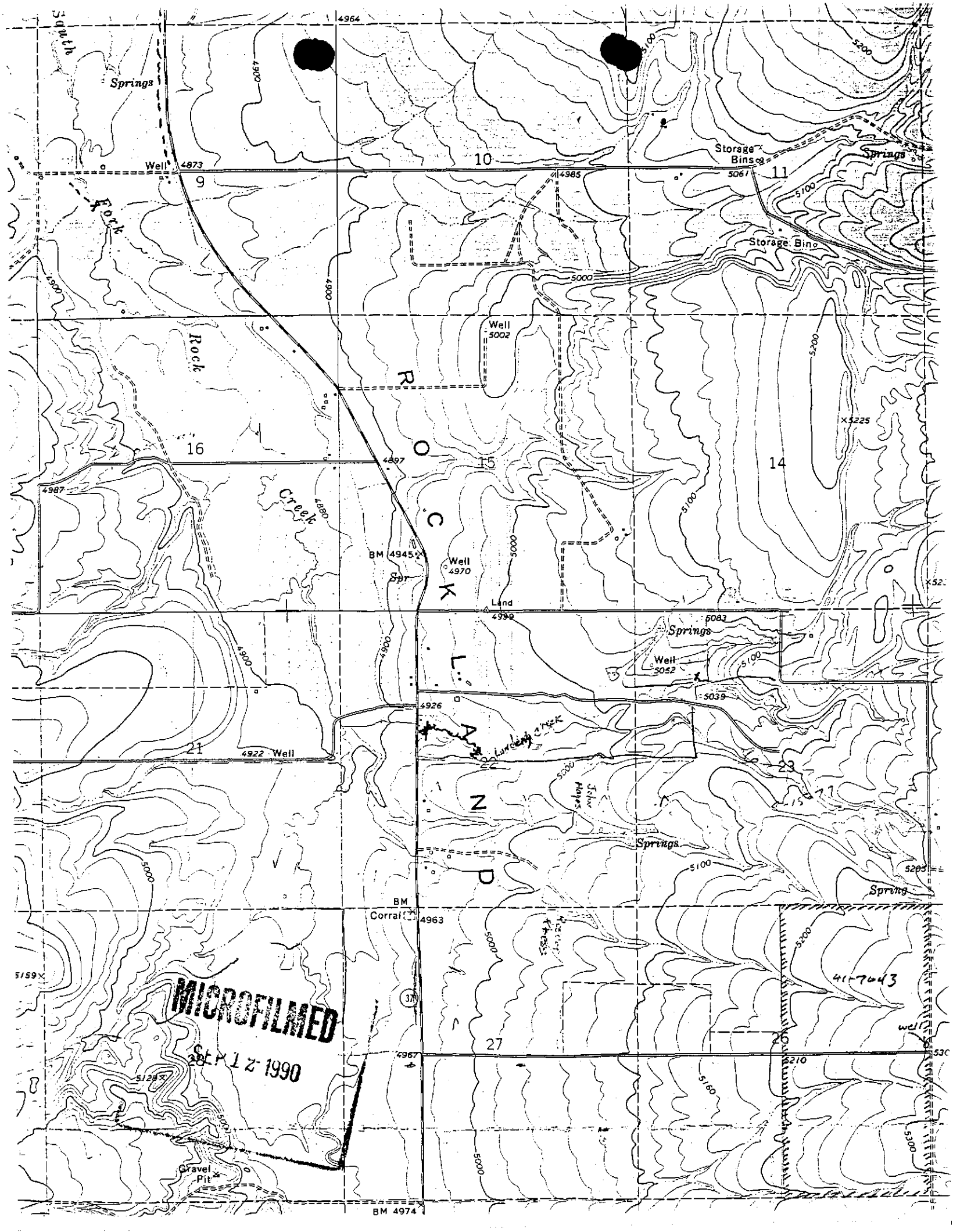
Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Douglas Jones, E. I. T.
Water Resources Engineer

DJ:MB

MICROFILMED
SEP 12 1990


Springs
Well 4873
Rock Fork
Storage Bins
Springs
Storage Bin
Well 5002
ROCK
Rock Creek
BM 4945
Well 4970
Land 4992
Springs
Well 5052
Well 4922
Landing Creek
Springs
BM Corral 4963
Gravel Pit
BM 4974
MICROFILMED
SEP 12 1990
41-7643
well
10
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16
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14
21
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Affidavit of Publication

RECEIVED

JUL 18 1989

Department of Water Resources
Southern Region Office

State of Idaho

County of Power

Erma Crompton being first duly sworn on oath, states:

That she is the publisher of The Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 2 successive weekly issues thereof, the date of the first publication being the 5 day of July 1989 and the date of last publication being the 12 day of July 1989.

(Signed) Erma Crompton

State of Idaho

County of Power

On this 17 day of July in the year of 1989, before me, a Notary Public, personally appeared Erma Crompton, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Brett Crompton

Notary Public for Idaho
Residing at American Falls, Idaho
My commission expires: June 8, 1993

Notice of amendment

Published in The Power County Press, July 5, 12, 1989.

NOTICE OF AMENDMENT TO A WATER RIGHT
NO. 41-7028

Notice is hereby given that Grant Udy & Sons of Rockland, ID are the holders of Approved Permit NO. 41-7028 authorizing the diversion of 2.0 cubic feet per second of water from two groundwater points of diversion in the NW¼NW¼, S23, T11S, R31E, County of Power, to be used for irrigation of 340 acres in additon to storage for irrigation and diversion to storage within NE¼, E½NW¼, S22, T11S, R31E; N½NW¼, SW¼NW¼, S23, T11S, R31E.

The permit holder has applied to the Department of Water Resources for an Amendment to the Permit, to add Points of Diversion to include SE¼NW¼, S22, T11S, R31E; NE¼NW¼, S23, T11S, R31E.

Amount: No change.

Period of Use: No change

Place of Use: No change

Any protest against approval of the amending of Permit NO. 41-7028 as set forth above must be filed with the Idaho Department of Water Resources, 2148 4th Avenue East, Twin Falls, ID 83301 on or before July 24, 1989.

R. Keith Higginson, Director

RECEIVED
SEP 12 1990

OK
NB
7/18/89

26-Jun-1989

Power County Press
174 Idaho Street
American Falls, ID 83211

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MICROFILMED
SEP 1 6 1989

NOTICE OF AMENDMENT TO A WATER PERMIT

NO. 41-7028

Notice is hereby given that Grant Udy & Sons of Rockland, ID are the holders of Approved Permit No. 41-7028 authorizing the diversion of 2.0 cubic feet per second of water from two groundwater points of diversion in the NW1/4NW1/4, S23, T11S, R31E , County of Power, to be used for irrigation of 340 acres in addition to storage for irrigation and diversion to storage within NE1/4, E1/2NW1/4, S22, T11S, R31E; N1/2NW1/4, SW1/4NW1/4, S23, T11S, R31E.

The permit holder has applied to the Department of Water Resources for an Amendment to the Permit, to add Points of Diversion to include SE1/4NW1/4, S22, T11S, R31E; NE1/4NW1/4, S23, T11S, R31E.

Amount: No change.

Period of Use: No change

Place of Use: No change

Any protest against approval of the amending of Permit No. 41-7028 as set forth above must be filed with the Idaho Department of Water Resources, 2148 4th Avenue East, Twin Falls, ID 83301 on or before July 24, 1989.

R. Keith Higginson, Director

Published in the Power County Press on 7/5 & 7/12/89.

MICROFILMED

SEP 12 1990

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

RECEIVED
JAN 27 1981
Department of Water Resources
Southern Division Office

IN THE MATTER OF PROTESTS AGAINST APPROVAL OF APPLICATION FOR PERMIT NO. 41-7028 IN THE NAME OF GRANT UDY AND SONS

MEMORANDUM DECISION AND ORDER

On August 15, 1977, Grant Udy and Sons of Rockland, Idaho filed with the Department of Water Resources an application for permit to appropriate 2.00 cubic feet per second of water from a groundwater source. The application proposes to divert the water from two existing wells located in the NW¼NW¼, Sec. 23, Twp. 11S, Rge. 31E B.M., Power County. The water was to be used for the irrigation of 340 acres and to be diverted to storage for irrigation into a reservoir of 11 acre feet capacity.

Notice of the application was published in the Power County News on September 1 and September 8, 1977.

A protest against the application was received September 19, 1977 from John B. Kugler, attorney, acting on behalf of Farold Nelson, Lynn Hunter, Stan Groom and Farren Porath. The protestants were water users from the Rockland Valley Water District.

The protest was based upon the following objections:

1) That the proposed diversion of groundwater from the wells would reduce stream flows and adversely affect the rights of waterusers of Rock Creek.

2) That the wells and reservoir were constructed in violations of the laws of Idaho.

A conference in the matter was held in American Falls on January 23, 1979. Present at the conference were Richard Udy, representing the applicants; Stan Groom, protestant; and John B. Kugler, attorney for the protestants. It was the position of the protestants that no permit should be issued to appropriate groundwater using wells which were the subject of previous complaints until the complaints could be resolved. The applicant said it was his intention to complete the wells to comply with minimum well construction standards for use under this application. The protestants had no objection to the applicant appropriating groundwater if he installed unperforated well casing down through the first water-bearing aquifer and into the confining layer so that surface flows and the water in the upper aquifer would not be able to enter the wells. The parties agreed to allow the Department of Water Resources to reach a decision in the matter based upon information presented at the conference, information

41-7028

he Department, and information collected during the 1978 field

s. Geological Survey.

September 8, 1980, the Department issued a Proposed Memorandum Decision

nd allowed the parties until September 23, 1980 to file an exception to

cision. The applicant on September 22, 1980, filed an exception to Finding

act No. 2 which stated:

> "At the time of filing, the subject wells had casings that are perforated to the surface and were not in compliance with the minimum well construction standards of the Department of Water Resources."

A copy of the exception was sent to the protestants' attorney on October 20, 1980 to determine if the protestants had any objection to the amending of Finding of Fact No. 2. No objection to the amending of Finding of Fact No. 2 had been received. The Director has considered the issues and based upon his understanding of the law, he makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1) The two wells are presently in existence and water has been diverted and used under the other existing rights of the applicants.

2) The wells are not located within a designated critical groundwater area.

CONCLUSIONS OF LAW

1) There is sufficient groundwater available to satisfy the rate of diversion requested in the application.

2) The flow of Rock Creek will not be adversely affected by the continued use of these existing wells.

ORDER

IT IS, THEREFORE, HEREBY ORDERED That Application for Permit No. 41-7028 is APPROVED subject to the following conditions:

1) Use of water under the permit is subject to all prior water rights.

2) A measuring device or access port of a type approved by this Department shall be permanently installed and maintained as a part of the diverting works.

3) The rate of diversion under this permit, when combined with all other water rights used on the same land, shall not exceed 0.02 cubic feet per second for each acre of land irrigated.

4) The uses, amounts, and seasons of use approved are as follows:

2.0 cfs	diversion to storage	from November 15 to March 15
2.0 cfs	irrigation	from March 15 to November 15
11.0 AF	storage for irrigation	from January 1 to December 31,
11.0 AF	irrigation from storage	from March 15 to November 15,

where total rate of diversion does not exceed 2.00 cubic feet per second.

[redacted] be equipped with nonperforated casing from land [redacted] first confining layer in order to prevent interference [redacted] flows.

Proof of construction of works and application of water to beneficial [redacted] submitted to the Department on or before January 1, 1986.

Dated this 12 day of January, 1981.

C. STEPHEN ALLRED

Director

MICROFILMED
SEP 12 1990

February 6, 1986

Grant Udy & Sons
Star Route, Box 28
Rockland, ID 83271

Gentlemen:

Re: Permit No. 41-7028

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to September 1, 1990.

The department would liketo call to your attention the condition of permit approval requiring non-perforated casing from land surface down into the first confining layer. To date, the department has not received evidence from you that the condition has been complied with. Please forward that information since a water right cannot be perfected which does not comply with permit conditions.

If you have questions, please feel free to contact this office or our Southern Regional office in Twin Falls,

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

cc: Southern Region

State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

December 13, 1985

Richard Udy
Grant Udy and Sons
Rockland, ID 83271

Dear Mr. Udy:

Re: Permit No. 41-7028

The department received the request for extension of time submitted on December 5, 1985, but needs additional information before we can continue processing your request.

The water right permit indicates that two wells were in existance when the application was filed. The extension request states that you had a well dug, but that you had not installed a pump. Is this well in addition to the two wells already in existance?

Also, you did not indicate the reason for requesting an extension of time. The forms asks why you were unable to complete the remainder of the work within the required time. Please supply this information.

Please advise me on this matter as soon as possible so that the department can continue processing the extension request.

If you have any questions concerning this matter, please feel free to contact me.

MICROFILMED

Sincerely,

To ! Rita I. Fleck

RITA I. FLECK
Secretary/Records Manager

The attached form responds to this letter & was completed this day (1/7/86) as per our phone conversation.

ADM

Form 204
5/78

Identification No. 41-7028

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof of beneficial use on a water right permit

RECEIVED
JAN 1986
Department of Water Resources

_____ of _____
(Name) (Address)

State of _____, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Waters of the State of Idaho No. 41-7028.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before _____, 19___.

That he has heretofore performed the following work described under said permit: Both wells are dug. A pump is on 1 well and presently being used. We haven't developed the other well to 2.0 cfs so therefore we need some more time. There is not 3 wells. Costing $5.000.00

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: Due to [redacted] economic situation of agriculture we need more time. We did have to switch pumps at one time which was an additional cost. This permit was included in the Swan Falls Litigation but was released Sept. 1985.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to _____, 19___.

Grant Ydy Sons by George Ydy Partner
(Signature)*

MICROFILMED

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be _____

_____

_____

_____

Signed this _____ day of _____, 19___.

_____

* *IF OTHER THAN HOLDER, Power of Attorney must be supplied.*

December 12, 1985

Richard Udy
Grant Udy and Sons
Rockland, ID 83271

Dear Mr. Udy:

Re: Permit No. 41-7028

The department received the request for extension of time submitted on December 5, 1985, but needs additional information before we can continue processing your request.

The water right permit indicates that two wells were in existance when the application was filed. The extension request states that you had a well dug, but that you had not installed a pump. Is this well in addition to the two wells already in existance?

Also, you did not indicate the reason for requesting an extension of time. The forms asks why you were unable to complete the remainder of the work within the required time. Please supply this information.

Please advise me on this matter as soon as possible so that the department can continue processing the extension request.

If you have any questions concerning this matter, please feel free to contact me.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

MICROFILMED

State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

EXTENSION OF TIME

December 9, 1985

Grant Udy & Sons
Rockland, ID 83271

PERMIT NO. 41-7028

We are in receipt of the ~~$15~~ extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

Enclosed is our receipt No. 37350.

Roberta Garrett
Records Supervisor

Enclosure

MICROFILMED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

- -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
OCTOBER 31, 1985

138450

GRANT UDY & SONS
ROCKLAND, ID 83271

PROOF DUE NOTICE

RE: PERMIT NO. 41-7028

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF THE ABOVE REFERENCED WATER PERMIT WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JANUARY 1, 1986. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST.) ENCLOSED IS A FORM WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION WHICH MIGHT BRING TITLE TO THE WATER IN QUESTION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER A COMPLETED PROOF OF BENEFICIAL USE FORM OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

MICROFILMED

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

> 42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT. (2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. Glen Saxton

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED

FORM B

Please answer all questions fully if you believe that actual use or a substantial investment existed as of November 19, 1982, ($15,000 or 25% of the estimated cost of the project):

SEE ACCOMPANYING LETTER: #41-7047 #41-7021 (#41-7028) #41-7027

Permit or Application Number: #41-7015 #41-7057

Name(s) of Permit Holder: Udy Bros + Grant Udy + Sons

Post Office Address: R.F.D. Box 26

Telephone No. 528-2636

Indicate the date water was first diverted and beneficially used under this permit: _____

1. As of November 19, 1982, had the sum of at least $15,000 been spent on the purchase or construction of wells or on equipment primarily used for irrigation purposes to be used to develop the above listed application or permit?

YES _____ NO X

If the answer is "yes", attach copies of cancelled checks or receipts showing the expenditure.

2. As of November 19, 1982, did there exist actual expenditures or written commitments for expenditures totaling at least $15,000 for the purchase or construction of wells or of equipment primarily used for irrigation purposes to be used to develop the above listed application or permit?

YES _____ NO X

If the answer is "yes", attach copies of cancelled checks or receipts showing the expenditure, or of written commitments for such purchase or construction.

3. Describe the irrigation project contemplated. For example, number of acres, number of wells or headgates, type of application system (gravity, handlines, center pivots, length and size of canals, laterals, mainlines, etc.), number and size of pumps.

all of these projects will be Pump and sprinkle irrigation

MICROFILMED

Three of these Permit Holders got the Wells dug and just need to be developed. #7028 These Wells were dug in 1962. We already have a license on them. This permit is for additional Water. On Permit #41-7057 it was approved in Twin Falls Department of Water Resources and sent on to Boise but Boise misplaced it on a permit was never issued to us.

4. Describe how much of the project was completed on or before November 19, 1982.

#41-7057 - 300 ft Well has been dug - no development #41-7021 - No Development #41-7015 210' Well dug - will begin irrigating 1985 #41-7027 - 150' well dug - no development #41-7028 2 wells dug began irrigating in 1962 with flow - Put Pump on in 1968 - applied for additional Water 8-15-77 #41-7047 Application Protested in 1980. Because of Swan Falls Conflict a Hearing was never held. No development

5. What is the total estimated cost of the irrigation project necessary to use water under the above permit or application? (In figuring project cost, do not include cost of land or engineering and feasibility studies).

---

6. Did the total of the actual expenditures and written commitments exceed 25% of the total projected cost as of November 19, 1982?

YES #41-7015 #41-7027 #41-7028

NO #41-7057 #41-7021 #41-7047

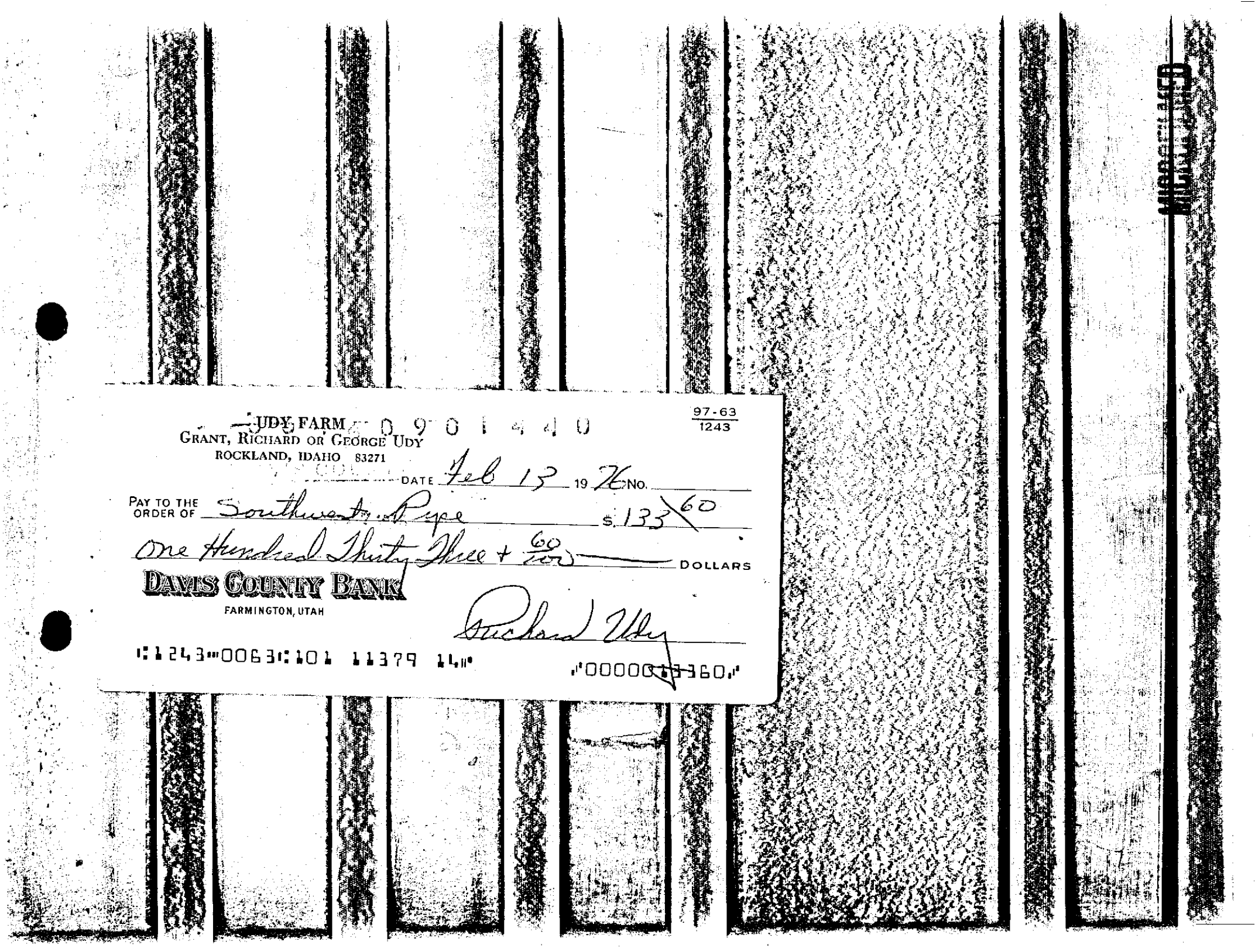
I swear (or affirm) that the information stated above is true and correct, to the best of my knowledge.

SUBSCRIBED and SWORN to before me this _____ day of _____, 1985.

NOTARY PUBLIC FOR _____

Residing at: _____

MICROFILMED



UDY FARM 0 9 0 1 4 4 0

97-63
1243

GRANT, RICHARD OR GEORGE UDY
ROCKLAND, IDAHO 83271

DATE Feb 13 19 76 No.

PAY TO THE ORDER OF Southwestern Pipe $ 133 60

One Hundred Thirty Three + 60/100 DOLLARS

DAVIS COUNTY BANK
FARMINGTON, UTAH

Richard Udy

⑈1243⑈ 0063⑆101 11379 14⑈ ⑈00000133 60⑈

State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

January 23, 1981

Grant Udy and Sons
Rockland, ID 83271

Dear Sirs:

Re: Application for Permit No. 41-7028

Enclosed is a copy of your approved Application for Permit No. 41-7028 along with a copy of the Memorandum Decision and Order. We direct your attention to the conditions of approval as set forth in the order.

Be sure to note the special condition requiring you to install an access port or other device to provide for the installation of measuring equipment by the Department. Enclosed are the specifications for the installation of an access port.

Any person who does not agree with the decision of the Department may request a rehearing before the Director within twenty days, or may appeal directly to the district court within sixty days of the date the decision is mailed.

Sincerely,

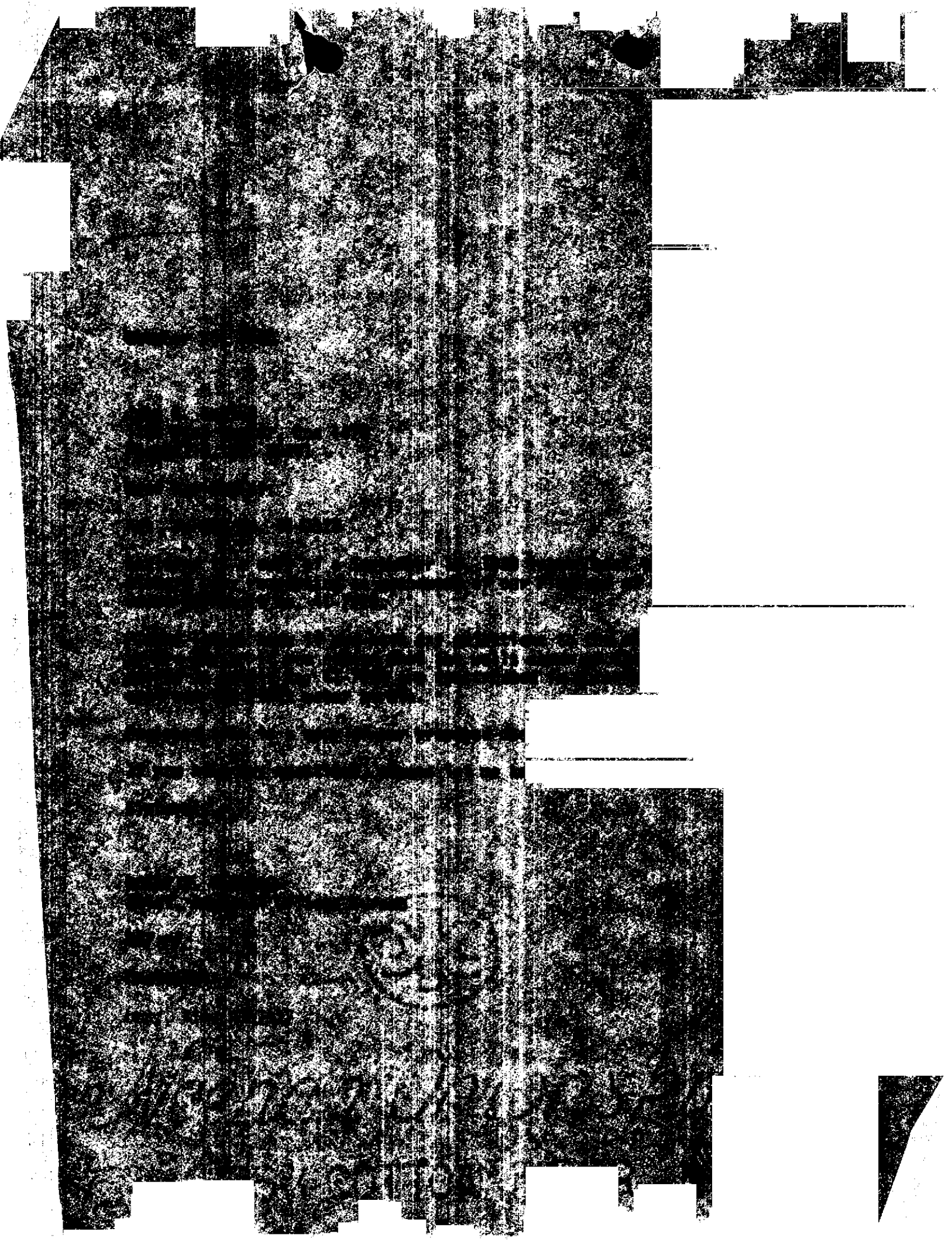
DAVID R. TUTHILL, JR.
Acting Chief, Operations Bureau

DRT:rf

Enclosures

cc: John B. Kugler, Attorney

MICROFILMED



RECEIVED
SEP 22 1980
Department of Water Resources

Rockland, Idaho
Sept 18, 1980

Idaho Dept. of Water Resources
Attn: Bobby Fleenor

Dear Sir:

On Sept 11, 1980 We received the permits on the wells that we applied for on August 15, 1977. On Permit No 41-7028 there was one statement that was in error. Under Finding of Fact page 2 No. 2 it states that the casing was perforated to the surface which is incorrect. The perforation in both of these wells are over 20 feet below the surface of the ground, which is in compliance with the minimum well standard.

Also under "Order" on page 2 it states the wells shall be equipped with non-perforated casing from land surface down into the first confining layer in order to prevent interference with surface water flow. Both of these wells were drilled in the early 1960's. At that time they were drilled there was no protest on the applications that we filed at your department.

We have been using water from both of these wells since that time. Using the flow from one well and a pump in the other. The pump in the one well is set at 125 feet. During this period of time there has been no interference with the springs of Landing creek.

For this reason we are asking you to delete No#2 from this permit.

Sincerely,

Richard Hoby

MICROFILMED

MEMORANDUM

TO: Glen Saxton & Norm Young
FROM: Paul Castelin PMC
DATE: August 8, 1980
SUBJ: PROTESTED W.R. APPS. 41-7027 & 7028 (GRANT UDY & SONS)

As an extension of my July 9 memo, I have done the following:

1. Called Doug Cushman Drilling on several occasions, finally made contact with Erv Wanless his foreman on July 22. He could find no copy of a log of the Grant Udy well in question. Doug is out of state; will return August 4 and may remember some details. On August 4 I called Doug Cushman, who could only doubt that he had drilled the well in question. No log of the well exists in his file or IDWR's.

2. Called Richard Udy on July 22, discussed proposed order and our need for a log of the hole to assure that surface water can be sealed out. No log is available, or any real evidence that a suitable clay layer into which to seal the well exists in that local area. Udy's recollection is that water was encountered at 5 feet and at 40 feet, but nowhere else in the hole. If true, unperforated surface casing should be set to a depth of about 35 feet, so that only surface water is sealed out.

3. Review of well logs indicates we have no logs of wells in sections surrounding section 23; however, all logs of wells in section 23 show a persistent clay layer whose top varies from 0 to 28 feet in depth, its bottom from 30 to 88 feet in depth. This is the clay layer into which the unperforated well casing must be sealed, assuming it exists at the site of the well in question.

4. Jack Cushman Drilling (August 6) indicated only a deepening job for the Udy's. A log in the file indicates a replacement well was drilled by Jack Cushman for the Udy's but log does not indicate near-surface perforations or the same location as the well in question.

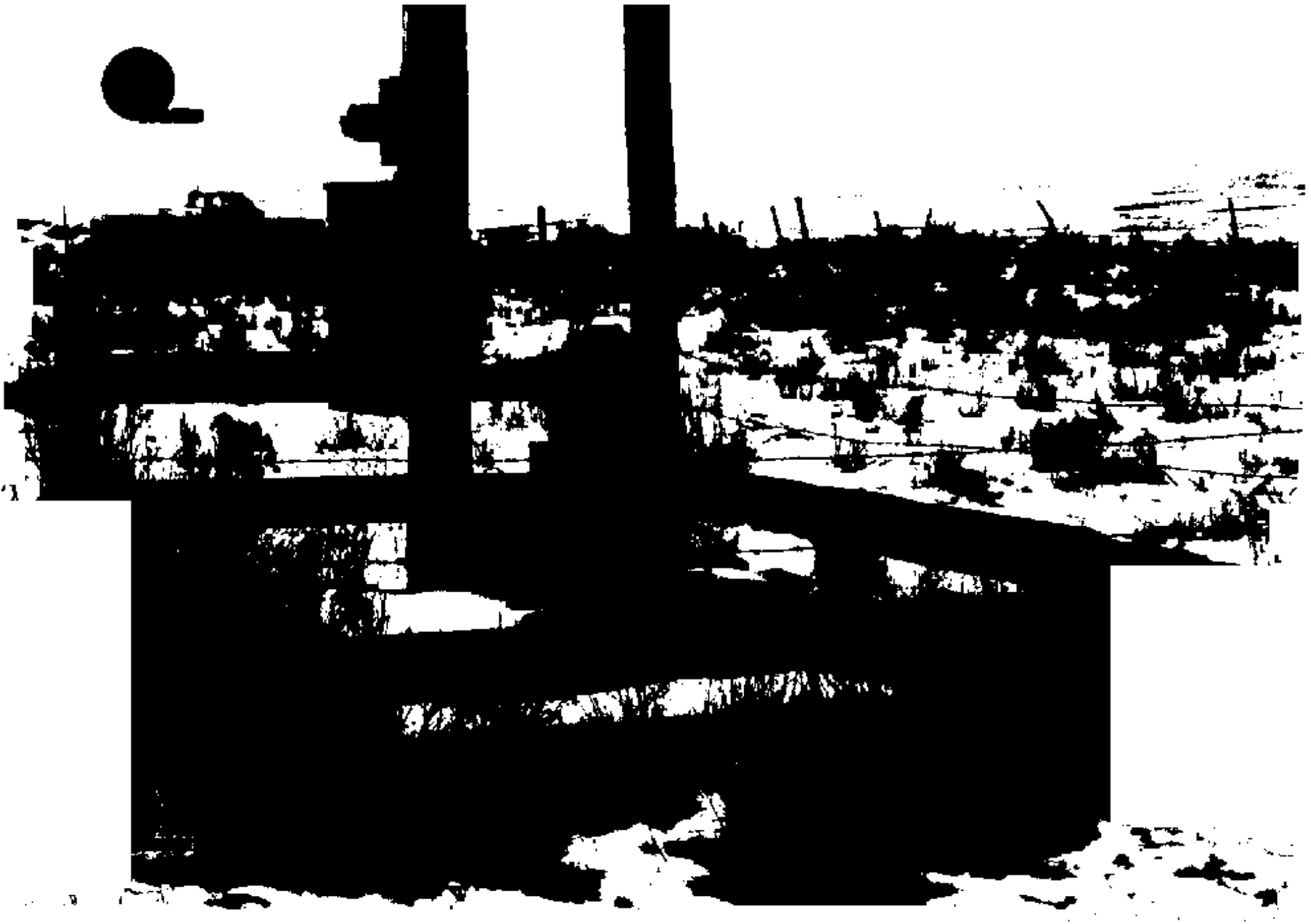
In any event, I recommend that in the absence of any better driller information that we proceed with the issuance of the order, knowing with some degree of certainty that the first confining layer is probably at or about 30 feet and probably shallower. If Richard Udy's recollection is correct, and the deeper water bearing zone is at 40 feet (the bottom of the existing casing), we should require that the non-perforated casing to extend down to just above the second water bearing zone.

MEMORANDUM

TO: Glen Saxton, Norm Young
FROM: Paul Castelin PMC
DATE: July 9, 1980
SUBJ: PROTESTED APPS. 41-7027 & 7028, Grant Udy & Sons

I briefly reviewed rough draft copies of the U.S.G.S. report on Rockland Valley and spoke to the authors, Ray Williams and Bill Young to determine whether or not there was any evidence to support denial of the Udy applications. There is none. No long-term water level records are available for this area, but recent years show no significant declines. Water budget figures will show additional water available for groundwater development. As has been expressed before, a major concern of surface water right holders is the potential for interference with surface water rights by ground water pumpers. Well construction to eliminate production from shallow aquifers should alleviate this concern. I recommend that we approve the Udy water right applications and issue the order requiring them to reconstruct their well so that no production of water from the shallow, near surface aquifer occurs.

MICROFILMED



1-24-1980

41-7028 East Well



1-24-1980

41-7028 West Well

January 24, 1980

To: Glen Saxton LH 41-7028

From: Loren Holmes

Re: Inspection of Udy and Sons Wells.

On the above date I inspected the wells described in applications 41-7027 and 41-7028 as Points of Diversion. Richard Udy accompanied me on the inspection.

The well referred to in 41-7027 is a 10-inch hole with steel casing installed and cut off at the ground. The casing has torch-cut perforations up to the surface, and is not capped. Water stands about 6 feet below the surface in the well.

The two wells in 41-7028 are located about 200 feet apart.

The east well has a 8 x 8 foot concrete slab around the casing and a pump installed. No leakage is observeable around the well.

Richard Udy indicated that the well has not flowed since it has been pumped.

The west well is unused at present and has a 16-inch uncapped casing. There is no leakage around the casing, but a small seep rises about 6 feet Northeast of the well. The water stands about 6 inches above ground in the well casing.

It appears from my inspection that the condition of the 41-7028 wells has been improved since they were last looked at by the Department.

It is impossible to determine by inspection how deep the perforations are in theses wells.

The attached draft orders have language requiring surface water to be cased out of all the wells in order to make them consistent with the orders in the memorandum decisions.

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WELL LOG AND REPORT TO THE STATE RECLAMATION ENGINEER OF IDAHO

Log No. _____
Rec'd _____, 19__
Well No. _____
Permit No. 8-27552

(DO NOT FILL IN)

Owner Ugy Bros. Address Rockland, Idaho

Driller Paul Vollmer and Son Address Aberdeen, Idaho Lic. No. 171

Location of Well: SW ¼ NW ¼ Sec. 23, T. 11 S., R. 31 E. Power County,

and _____ feet N/S, and _____ feet E/W from _____ Corner of _____ ¼ _____ ¼ Sec. _____

Size of Drilled Hole 16" Total depth of Well 340 ft.

Give depth of standing water from surface _____ Water Temp. _____ °Farenheit

On pumping test delivery was _____ g.p.m. or _____ c.f.s. Drawdown was _____ feet.

Size of pump and motor used to make the test _____

Length of time pumped during check was _____ hr., _____ minutes.

If flowing well, give flow in c.f.s. _____ or g.p.m. 252 and shut in pressure none

If flowing well, describe control works open flow
(TYPE AND SIZE OF VALVE, ETC.)

Water will be used for irrigation Weight of casing per linear foot 42 lbs. per ft.

Thickness of casing ¼" wall Casing material pipe
E.G., PIPE, CONCRETE, WOOD.

Diameter, length and location of casing 16" surface to 170 ft.
(CASING 12" IN DIAMETER AND UNDER GIVE INSIDE DIAMETER; CASING OVER 12" IN DIAMETER GIVE OUTSIDE DIAMETER.)

Number and size of perforations _____ located _____ feet to _____ feet from surface of ground.

Other perforations _____

Date of commencement of well 7/7/61 Date of completion of well 7/15/61

Type of well rig 85 star

CASING RECORD

DIAM. CASING	FROM FEET	TO FEET	LENGTH	"REMARKS" -- SEALS, GROUTING, ETC.
16"	surface	170 ft.	170 ft.	

GENERAL INFORMATION—Pumping Test, Quality of Water, Etc.

SW NW S 23 11S 31E

WELL LOG

From Feet	To Feet	Type of Material	Drilling Time Hrs.	Drilling Time Min.	Water-bearing Stratum Ans. Yes or No	Casing Recovered Ans. Yes or No
0	30	brown clay			no	
30	35	gravel			yes	
35	170	clay and gravel			yes	
170	240	red clay			no.	
		If more space is required use Sheet No. 2				

WELL DRILLERS STATEMENT

This well was drilled under my jurisdiction and the above information is true and correct to the best of my knowledge and belief.

Signed Paul Williamson & Son

By M. Howard

License No. 171

Dated July 23, 1941.

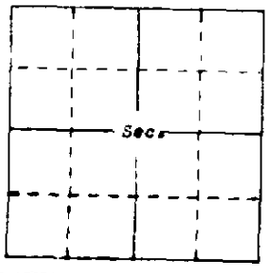
REPORT OF WELL DRILLER
State of Idaho

State law requires that this eport shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:
Name GRANT & LLOYD UDY
Address ROCKLAND IDAHO

Owner's Permit No. [illegible]
NATURE OF WORK (check): Replacement well ☐
New well ☒ Deepened ☐ Abandoned ☐
Water is to be used for: IRRIGATION
METHOD OF CONSTRUCTION: Rotary ☒ Cable ☐
Dug ☐ Other ☐ (explain)
CASING SCHEDULE: Threaded ☐ Welded ☒
4" "Diam. from 0 ft. to 88 ft.
"Diam. from ft. to ft.
"Diam. from ft. to ft.
"Diam. from ft. to ft.
Thickness of casing: .188 Material:
Steel ☒ concrete ☐ wood ☐ other ☐ (explain)
PERFORATED? Yes ☒ No ☐ Type of perforator used: TORCH
Size of perforations: ¼ " by 5 "
40 perforations from 80 ft. to 88 ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.
WAS SCREEN INSTALLED? Yes ☐ No ☒
Manufacturer's name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.
CONSTRUCTION: Well gravel packed? Yes ☒ No. ☐ size of gravel ¾ Gravel placed from 20 ft. to 88 ft. Surface seal provided? Yes ☒ No ☐ To what depth? 20 ft. Material used in seal: CEMENT
Did any strata contain unusable water? Yes ☐ No. ☒ Type of water:
Depth of strata ft. Method of sealing strata off:
Surface casing used? Yes ☐ No. ☒
Cemented in place? Yes ☐ No ☐

Locate well in section



LOCATION OF WELL: County OWYHEE
NW ¼ NW ¼ Sec. 23 T. 11 N/S R. 3 E/W

Size of drilled hole: 9" Total depth of well: 88' Standing water level below ground: FLOW Temp. Fahr. ° Test delivery: gpm or cfs Pump? ☐ Bail ☐
Size of pump and motor used to make test:
Length of time of test: Hrs. Min.
Drawdown: ft. Artesian pressure: ft. above land surface Give flow cfs or 30 gpm. Shutoff pressure:
Controlled by: Valve ☒ Cap ☐ Plug ☐
No control ☐ Does well leak around casing? Yes ☐ No ☒

DEPTH FROM FEET	DEPTH TO FEET	MATERIAL	WATER? YES OR NO
0	1	SOIL	
1	17	CLAY	
17	21	GRAVELLY CLAY	
21	83	CLAY	
83	90	GRAVEL (FLOW)	YES

Work started: 9/25/66
Work finished: 9/27/66
Well Driller's Statement: This well was drilled under my supervision and this report is true to the best of my knowledge.
Name: Bernard H. Gardner
Address: 142 SO MAIN ST. BOISE, IDAHO
Signed by: Bernard Gardner
License No. 322 Date: 10/5/66

Use other side for additional remarks

RECEIVED

Form 238 7
78

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

USE TYPEWRITER OR BALLPOINT PEN

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNER

Name Clay Bros. Farms

Address Rockland, Idaho

Owner's Permit No. _____

2. NATURE OF WORK

☐ New well ☐ Deepened ☒ Replacement
☐ Abandoned (describe method of abandoning)

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☒ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other

Thickness	Diameter	From	To
1/4 or 250 inches	12" inches	+ 16" feet	146 feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☐ Yes ☐ No
Was a packer or seal used? ☐ Yes ☐ No
Perforated? ☒ Yes ☐ No
How perforated? ☐ Factory ☒ Knife ☐ Torch
Size of perforation 3/8 inches by 3 inches

Number		From	To
140	perforations	92 feet	122 feet
_____	perforations	_____ feet	_____ feet
_____	perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☒ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter ___ Slot size ___ Set from ___ feet to ___ feet
Diameter ___ Slot size ___ Set from ___ feet to ___ feet
Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet
Surface seal depth 20 Material used in seal: ☐ Cement grout ☐ Puddling clay ☒ Well cuttings
Seating procedure used: ☐ Slurry pit ☐ Temp. surface casing ☒ Overbore to seal depth
Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld ☐ Cemented between strata
Describe access port 2" Pipe 90° Side

6. LOCATION OF WELL

Sketch map location must agree with written location. N

Subdivision Name _____
Lot No. _____ Block No. _____
County Power
NW¼ Sec. 23, T. 11 ☐ S, R. 31 ☐ E.W.M.

7. WATER LEVEL

Static water level 4 feet below land surface
Flowing? ☐ Yes ☐ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature 46 °F. Quality

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped
None		

9. LITHOLOGIC LOG

Hole Diam.	Depth From	Depth To	Material	Water Yes	Water No
12	0	14	Brown Clay		X
	14	28	Gravel	X	
	28	88	Clay		X
	88	118	Gravel	X	
	118	146	Sticky Brown Clay		X

10. Work started May 3, 1972 Finished May 12, 1972

11. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Jack Cashman & Wells Co. #1
Address Box _____, Burley, Idaho
Signed by (Firm Official) _____
and _____

NW¼

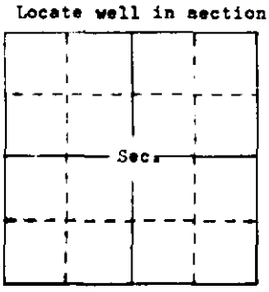
RECEIVED

REPORT OF WELL DRILLER
State of Idaho

State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:
Name GRANT & LLOYD UDY
Address ROCKLAND IDAHO
Owner's Permit No. 6-3145
NATURE OF WORK (check): Replacement well ☐
New well ☒ Deepened ☐ Abandoned ☐
Water is to be used for: IRRIGATION
METHOD OF CONSTRUCTION: Rotary ☒ Cable ☐
Dug ☐ Other ☐ (explain)
CASING SCHEDULE: Threaded __ Welded X
4" Diam. from 0 ft. to 106 ft.
___" Diam. from ___ ft. to ___ ft.
___" Diam. from ___ ft. to ___ ft.
___" Diam. from ___ ft. to ___ ft.
Thickness of casing: .188 Material:
Steel ☒ concrete ☐ wood ☐ other ☐ (explain)
PERFORATED? Yes ☒ No ☐ Type of perforator used: TORCH
Size of perforations: ¼ " by 5 "
60 perforations from 99 ft. to 101 ft.
___ perforations from ___ ft. to ___ ft.
___ perforations from ___ ft. to ___ ft.
___ perforations from ___ ft. to ___ ft.
WAS SCREEN INSTALLED? Yes ☐ No ☒
Manufacturer's name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.
CONSTRUCTION: Well gravel packed? Yes ☒
No. ☐ size of gravel ⅜ Gravel placed from 20 ft. to 106 ft. Surface seal provided? Yes ☒ No ☐ To what depth? 20 ft. Material used in seal: CEMENT
Did any strata contain unusable water? Yes ☐
No. ☒ Type of water:
Depth of strata ft. Method of sealing strata off:
Surface casing used? Yes ☐ No. ☒
Cemented in place? Yes ☐ No ☐

Locate well in section



LOCATION OF WELL: County Power
NW ¼ SE ¼ Sec. 23 T. 11 N/S R. 31 E/W

NW

Size of drilled hole: 9" Total depth of well: 106 Standing water level below ground: Flow Temp. Fahr. ____ Test delivery: ____ gpm or ____ cfs Pump? ☐ Bail ☐
Size of pump and motor used to make test:
Length of time of test: ____ Hrs, ____ Min,
Drawdown: ____ ft. Artesian pressure: ft. above land surface ____ Give flow ____ cfs or 120 gpm. Shutoff pressure:
Controlled by: Valve ☒ Cap ☐ Plug ☐
No control ☐ Does well leak around casing?
Yes ☐ No ☒

DEPTH FROM FEET	DEPTH TO FEET	MATERIAL	WATER YES OR NO
0	1	SOIL	
1	12	CLAY	
12	19	GRAVEL	no
19	35	CLAY	
35	37	GRAVEL	yes
37	39	CLAY	
39	41	GRAVELLY CLAY	
41	77	CLAY	
77	84	GRAVELLY CLAY	
84	90	CLAY	
90	100	GRAVEL (FLOW)	yes
100	106	CLAY	

Work started: 9/3/66
Work finished: 9/8/66
Well Driller's Statement: This well was drilled under my supervision and this report is true to the best of my knowledge.
Name: Bernard Gardner
Address: 142 N. MAIN ST. MALAD, IDAHO
Signed by: Bernard H Gardner
License No. 322 Date: 10/5/66

Use other side for additional remarks

USGS

41

In the matter of Application for Permit No 41-7028 and No 41-7027 in the name of Grant Udy

We the undersigned hereby agree to allow the Director of the Department to reach a decision in the matter of application for permit no. 41-7027 based upon the information presented at the conference held on January 23, 1979 at American Falls, the information contained in the records including the complaint file on this well, and the information obtained during 1978 field season by the U.S.G.S.

Signed at American Falls this 23 day of January 1979

John Pfeifer — Atty for Protestants

Richard Udy

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INTER-DEPARTMENT MEMO — 1

FROM Terry Blau

DATE December 27, 1977

TO File

SUBJECT Files No. 41-7027 & 41-7028 - Grant Udy & Sons

I called the phone number on the above referenced applications on December 27, 1977. I talked to Mrs Richard Udy and she said that the protesting parties were meeting with the applicant this afternoon. She thought that the protest would be withdrawn. She will advise her husband to call us as soon as it is known if the protest has been resolved.

Terry MICROFILMED SIGNATURE

41-7027, 7028 Udy.

7027 – Well is perforated to the surface & is subject of a Complaint.
Applicants intention is to complete the well to standards for use under the permit.
Ruglet: Applicant should comply in all matters outstanding before any permit is granted.

7028 – Flowing well is cased 290 ft - no perforations.
Other is cased 140 ft with perforations Drilled 1960-61

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41-2019
41-2026

41-2019 Grant & Lloyd Udy .17 cfs Sept 12 1858
Irr & Domestic 2 wells in NWNW 23 11S 31E
11S 31E 22 NW NE 24
SW NE 32
SE NE 20
NE NW 36
SE NW 26
188

From Exam Report 24 July 1964 by Lee Johnson.
Northwesterly well is 240' deep - Top Diameter 5';
16" Casing to bottom - Casing is loose in the hole

Southeasterly well is 240' deep - Top diameter - 4ft
16" Casing to bottom - 8"x10ft horizontal discharge pipe
welded to casing & discharging into open ditch.

water flows up & around casings of both wells
with no control.
Total Discharge was measured at .17 cfs.

41-2026 Grant & Lloyd Udy 1.03 cfs Aug 30, 1966 Irrigation
POD: 2 wells in NWNW & 1 point SWNW 23 11S 31E
11S 31E 22 NE¼ 40, 40, 32, 20 : NW¼: 36, 0, 0, 26 (194)
23 NW¼: 40, 20, 20, 40 (120)
314

New well in NWNW 23: Completed in 1966; 9" drilled Hole 88'
4" casing to 88', Perforated 80 to 88ft, Gravel Packed
20 to 88ft; Flowing 130 gpm - flowing water strata 93-94 ft
New well in NWSE 23 Completed 1966 9" drilled hole 106'
4" Casing to 106', Perforated 89 to 101 ft, Gravel Packed 20 to 106'
flowing 120 gpm. flowing water strata -90 to 100ft
Field Report: 2 wells in SE cor of NWNW 23
1 well in SE cor of SWNW 2

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RECEIVED
JAN 24 1979
Department of Water Resources
Southern District Office

LAW OFFICES
JOHN B. KUGLER

1156 East Center, Box 1478
POCATELLO, IDAHO 83201
208/233-6234

216 Idaho Street, Box 386
American Falls, Idaho 83211
208/226-5241

Attorney for Protestants

BEFORE THE DEPARTMENT OF WATER RESOURCES OF THE STATE OF IDAHO

In the Matter of Protest Against Approval of Application for Permit No. 41-7027 and No. 41-7028 in the name of Grant Udy and Sons

---

In the Matter of Protest Against Approval of Application for Permit No. 41-7032 in the name of Roscoe H. Weston

---

In the Matter of Protest Against Approval of Application for Permit No. 41-7033 in the name of Clifford E. Nelson

---

In the Matter of Protest Against Approval of Application for Permit No. 41-7034 in the name of Kent O. McMichael

---

In the Matter of Protest Against Approval of Application for Permit No. 41-7035 in the name of Ralph Woodworth & Sons

---

In the Matter of Protest Against Approval of Application for Permit No. 41-7036 in the name of Farren L. and/or MarDee Porath

---

MOTION FOR CONTINUANCE

COME NOW the protestants and move the Department of Water Resources for a continuance of the hearings scheduled in each of the above proceedings on either January 23, 1979 or January 24, 1979 on the grounds and for the reason that protestants and others have heretofore filed before the Department of Water Resources a request for water study, which study was promised to have been performed during the year 1978 and the results of which can be determinative of rights and obligations of all parties in the above proceedings. Continuance is requested until such time as the water study has been completed.

Motion for continuance and vacating of the hearing in matters of Permit No. 41-7027 and 41-7028 is also made on the grounds and for the reason that protestants herein have previously filed complaints with respect to other water permits of applicant,

MICROFILMED

and the complaints were filed prior to the filing of applications herein, and the Department of Water Resources has taken no action on the complaints on file.

JOHN B. KUGLER
Attorney for Protestants

Certificate of Service

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion for Continuance was served upon Ben Cavaness, P. O. Box 70, American Falls, Idaho 83211, and upon Grant Udy and Sons, Rockland, Idaho 83271, by U. S. Mail, with sufficient postage prepaid, this 19th day of January, 1979.

JOHN B. KUGLER

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

In the Matter of Protest Against Approval of Application for Permit No. 41-7027 and No. 41-7028 in the name of Grant Udy and Sons	NOTICE OF CONFERENCE AND/OR HEARING

On August 15, 1977, Grant Udy & Sons filed with the Department of Water Resources applications to appropriate the public waters of the State of Idaho. On September 19, 1977, the Department received protests against approval of said applications from John B. Kugler, Attorney at Law, in behalf of Farold Nelson, Lynn Hunter, Stan Groom, and Farren L. Porath, as representatives of the water users of the Rockland Valley Water District.

The Department has set the matter of protest for conference and/or hearing for Tuesday, January 23, 1979, at 10:00 a.m., at the Power County Courthouse in the County Agent's Office in American Falls, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all praties to respond and present evidence and argument on all issues involved.

Any party desiring the taking of stenographic notes by a qualified court reporter must request such in writing at least five (5) days before the date set for hearing and must submit to the director the name of a qualified reporter who is available on the date set for hearing. The party requesting the reporter shall bear the expense of the reporter's attendance fees. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant or protestant may allow the Department without prejudice to dismiss the protest or the applications. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 2nd day of January, 1979.

Loren O Holmes

LOREN O. HOLMES
Southern Region Supervisor

UNOFFICIAL

41-7027 & 41-7028 - Grant Udy and Sons

County Agent's Office - Power County Courthouse, American Falls, Idaho

January 23, 1979 - 10:00 a.m.

Name	Address	Representing

[illegible]

Assume as file # 41-7027

7 - #41-7028 - Grant Udy & Sons

SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

PS Form 3811, Apr. 1977 RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

1. The following service is requested (check one).
XXX ☐ Show to whom and date delivered ..... ¢
☐ Show to whom, date, and address of delivery .... ¢
☐ RESTRICTED DELIVERY
Show to whom and date delivered ..... ¢
☐ RESTRICTED DELIVERY
Show to whom, date, and address of delivery . $
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
John Kugler - Attny At Law
216 Idaho - American Falls, ID 8321[illegible]

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	041	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent

4. Carol Schreiber
DATE OF DELIVERY 1-4-79
POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:
CLERK'S INITIALS

☆GPO 1977 - O 249-505

#41-7027 - #41-7028 - Grant Udy & Sons

SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

PS Form 3811, Apr. 1977 RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

1. The following service is requested (check one).
☒ Show to whom and date delivered ..... ¢
☐ Show to whom, date, and address of delivery .... ¢
☐ RESTRICTED DELIVERY
Show to whom and date delivered ..... ¢
☐ RESTRICTED DELIVERY
Show to whom, date, and address of delivery . $
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Grant Udy & Sons
Rockland, Idaho 83271

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	042	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☒ Authorized agent

4. Lee Young
DATE OF DELIVERY 1/3/79
POSTMARK ROCKLAND ID JAN 3 1979 USPO

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:
CLERK'S INITIALS

☆GPO 1977 - O-249-505

protest hearing # 41.7027 - 41.7028

Name and Address of Sender

IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN DISTRICT OFFICE
1041 BLUE LAKES BLVD. NORTH
TWIN FALLS, IDAHO 83301

Indicate type of mail: ☐ REGISTERED ☐ REGISTERED C.O.D. ☐ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill. POSTMARK AND DATE OF RECEIPT

Grant Eddy and Sons

	NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET AND POST OFFICE ADDRESS	POSTAGE	FEE	R.R. FEE	REST. DEL. FEE	ACTUAL VALUE	HANDLING CHARGE	REMARKS
1	041	John Kugler - attny	15	80	45				
2	042	Grant Eddy & sons	15	80	45				
3									
4									
5									
6									
7									
8									
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20									

TOTAL NO. OF PIECES LISTED BY SENDER | TOTAL NO. OF PIECES REC'D AT P.O. | POSTMASTER, PER (Name of receiving employee)

*Show under "Remarks" class postage paid if other than first or if international

PS Form 3877, Dec. 1973

APPLICATION FOR REGISTERED, REGISTERED C.O.D. AND CERTIFIED MAIL

FORM MUST BE MADE OUT IN INK OR BALL POINT PEN

(Declaration of value is required on international registered mail)

★ U. S. GOVERNMENT PRINTING OFFICE: 1974-0-533-726

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

December 5, 1978

John Kugler
Attorney at Law
216 Idaho
American Falls, Idaho 83211

Re: Applications for Permit No. 41-7034 - Kent McMichael
41-7035 - Ralph Woodworth & Sons
41-7027)- Grant Udy & Sons
41-7028)
41-7033 - Clifford Nelson
41-7032 - H. Roscoe Weston
41-7036 - Farren &/or MarDee Porath

Dear Mr. Kugler:

Conferences and/or hearings on the above referenced applications have tentively been scheduled for January 23 & 24, 1979 at the County Agent's Office in the County Courthouse in American Falls, Idaho.

Notices formally setting the conferences and/or hearings will be sent by certified mail early in January. These notices will set the time and place for the meetings.

If you have any questions, please contact me.

Sincerely,

Loren O Holmes

Loren O. Holmes
Southern Region Supervisor

LOH:marya

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

December 5, 1978

Grant Udy & Sons

Rockland, Idaho 83271

Re: Applications for Permit No. 41-7034 - Kent McMichael
41-7035 - Ralph Woodworth & Sons
41-7027)- Grant Udy & Sons
41-7028)-
41-7033 - Clifford Nelson
41 7032 - H. Roscoe Weston
41-7036 - Farren &/or MarDee Porath

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Sincerely,

Loren O Holmes

Loren O.Holmes
Southern Region Supervisor

LOH:marya

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

December 5, 1978

Ben Cavaness
Attorney at Law
376 Roosevelt
American Falls, Idaho 83211

Re: Applications for Permit No. 41-7034 - Kent McMichael
41-7035 - Ralph Woodworth & Sons
41-7027)- Grant Udy & Sons
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Sincerely,

Loren O Holmes

Loren O. Holmes
Southern Region Supervisor

LOH:marya

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

December 5, 1978

Sterling Schow - Chairman
Agriculture Extension Agent
P. O. Box 179
American Falls, Idaho 83217

Dear Mr. Schow:

This is to confirm the use of the conference room for conference and/or hearing to be held by this office on Tuesday and Wednesday, January 23 and 24, 1979.

Thank you for your cooperation in this matter.

Sincerely,

Mary A. Hill
Secretary

for Loren O Holmes
Loren O. Holmes
Southern Region Supervisor

MICROFILMED

INTER-DEPARTMENT MEMO — 1

FROM Sheryl R. Merritt

DATE July 12, 1978

TO File

SUBJECT Applications No. 41-7027 & 41-7028 - Grant Udy & Sons (Protested)

On June 29, 1978, Richard Udy telephoned our office and requested that a hearing be held on the above-referenced applications. I informed that it would be sometime late in July before a hearing could be scheduled.

SM

SIGNATURE

MICR

MEMORANDUM

FROM: Terry Blau DATE: January 18, 1978

TO: Mike Steele

SUBJECT: Review of Protested Applications 41-7027 & 41-7028 - Grant Udy & Sons

On January 4, 1978, I traveled to Rockland to gather information on the above-numbered applications, as per your request.

I met with Mr. Richard Udy, applicant in protested applications 41-7027 and 41-7028. He showed me the three wells listed on the two protested applications. There were 2 wells located in the NW¼NW¼, Sec. 23; one had casing protruding from the ground approximately 4 feet and had water flowing up around the casing. Mr. Udy thought the well was 220 feet deep and was cased all the way to the bottom. Under the new application, they intend to perforate the casing from about 50 feet on down and install a pump on the well. The second well was equipped with a pump and motor. It was originally a flowing well, however, since it has been pumped, it no longer flows and the well near it which was described above is drawn down to about 3 or 4 feet while it is being pumped. Mr. Udy stated that they pump about 30 inches from this well. The 2 above-mentioned wells are presently covered under License No. 41-2019 and License No. 2026. These 2 wells are located approximately 700 feet from the nearest live stream and are approximately 60 feet in elevation above the stream. The third well, located in the NE¼SW¼, according to Mr. Udy is 150 feet deep and is perforated to the surface. It is not capped and has water standing at about 4 feet below land surface depth. The driller was Doug Cashman from Blackfoot, and during an altercation he left the well without capping and sealing it. It is located approximately 20 feet from Landing Creek and in its present condition would most likely affect the stream flow if pumped. If not pumped, it should be cased and sealed.

The names and numbers of the protestants are:

Farold Nelson - 548-2261
Stan Groom - 548-2676
Farren Porath - 548-2263
Lynn Hunter - 548-2355

A review of water right filings in Udys name reveals the following:

Status & Description of Right	Point of Diversion (all T.11S, R.31E.)	Use/Acres	Amount
Lic. No. 41-2019	(2 pts.)NW¼NW¼, Sec.23	Irrig/138 acres	.17 cfs
Lic. No. 41-2026	(2 pts.)NW¼NW¼, Sec.23 SW¼NW¼, Sec.23	Irrig/314 acres	1.03 cfs
Claim No. 41-4002	Udy Spring NE¼NW¼, Sec.23	Domestic	.1 cfs
App. No. 41-7017-w/drawn			
App. No. 41-7015-approved	NW¼SE¼, Sec.27	Livestock	.09 cfs
	NW¼SW¼, Sec.27	Irrig/480 acres	9.6 cfs
App. No. 41-7016-approved	NE¼NW¼, Sec.22	Domestic	.12 cfs
		Irrig/40 acres	.8 cfs
App. No. 41-7017-relinqhished conditional	Landing Creek		
App. No. 41-7021-approved	SW¼SE¼,	Irrig/80 acres	1.6 cfs

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Udy McMahon Farold Nelson - 548-2261 (cell)
" " Stan Groom - 548-2676
" " Farren Porath - 548-2263
" ~~[redacted]~~ Lynn Hunter - 548-2355

If Rights are Protested they must be satisfied

John Kugler draw up agreement for McMurdie Protestors

Check Alvin Ralphs

2 midtown Moapa Rd left hand side
2 long Canes

Udy Rts	PD		Use	Amt
~~[redacted]~~ Lis # 41-2019	2 pts NW NW Sec 23		138A	.17 cfs
LR # 41-2026	2 pts NW NW Sec 23 SW NW Sec 23		314a	1.03 cfs
Claim # 41-4002	Udy Spring NE NW Sec 23		Dom	.1 cfs
Withdrawn App # 41-7017	~~[redacted]~~	Withdrawn		
Approved App # 41-7015 Protest with drawn	NW SW Sec 27	Cond NW SE Sec 27	11 53/E 480A	9.60 cfs .09 cfs
Approved App # 41-7016 Protest with drawn	NE NW Sec 22	Cond	40A	155 DOM - 8 CFS 120 AFS
relinquished App 41-7017	relocate	Landing Creek approved on condition that canal be unperforated through the first water Bearing Zone and sealed into the first confining layer below	80A	16
Approved Application 41-7021	SW SE			

41-7015 & 41-7016 Document signed by both attorneys withdrawing protest on 41-2015 & 41-7016 exchange for relinquishment of 41-7017

Reply to Kugler

548-232 - John N Robertson
2nd one, NT

School — Paul Wilford
Oregon Hill 10"
old Post office

84.9
72.4

Hoy Wells drilled by ? Most wells early 60's
#1 flowing 1-5 for 9 inches on 220ft tot depth
Cased all the way - Plan to deepen at about
and clean - [illegible] flowing some
Pump near bottom drawdown
#2 140ft total depth has motor pump limit
flow only - Pumped 80 inches drawdown
flow: [illegible]

WESW #3 Well is plugged [illegible]

Quite busy Cashman of Blackfoot

#4,5,6 are being [illegible] drilled Gardner for Mallo

Check on well south of place

well logs SW NW 23 16" by Paul Vollmer Some Aband
252 gpm flowing Cased to 170ft TD 240ft with from 80-
NWSE Sec 23 4" Casing to 106ft 60 perf from 89-101 ft
gravel packed - 9" hole 106ft deep flowing 126 gpm
NW NW Sec 23 Cased from 0-86 4" 40 perf from 80-89 ft
gravel packed from 20 to 89 ft 9" hole flowing at 130 gpm
TD 94ft

MICROFILM
35-37
100
with
at 83-

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

September 23, 1977

Grant Udy & Sons
Rockland, Idaho 83721

Re: Application for Permit Nos. 41-7027 & 41-7028 - Grant Udy & Sons

Dear Mr. Udy:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to your Application No. 41-7027 & 41-7028. The Department suggests you contact the protestant directly in an effort to determine the nature of the protest and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?

2. Is the proposed water supply insufficient for the purposes intended?

3. Is the application made in good faith or for delay or speculative purposes?

4. Has the applicant sufficient financial resources with which to complete the project?

If this office can be of further assistance, please contact us.

Sincerely,

MICROFILMED

Michael L. Steele
Southern Region Supervisor

MLS:sm
Enc.

September 23, 1977

Mr. John B. Kugler
Attorney at Law
1156 East Center
Pocatello, Idaho 83201

Re: Application for Permit No's. 41-7027 & 41-7028 - Grant Udy & Sons

Dear Mr. Kugler:

Your protest against the approval of the above referenced application submitted in behalf of Farold Nelson ect, has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?

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4. Has the applicant sufficient financial resources with which to complete the project?

If this office can be of further assistance, please contact us.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS:sm

RECEIVED

RECEIVED
SEP 19 1977
Department of Water Resources
Southern District Office

BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES

Applications of GRANT UDY & SONS Application Nos. 41-7027 and 41-7028	PROTEST

COMES NOW the water users, Farold Nelson, Lynn Hunter, Stan Groom, and Farren L. Porath, as representatives of the water users of the Rockland Valley Water District, the same being users of water from the U. S. Ditch, the South Fork of Rock Creek, the East Fork of Rock Creek and other springs and ditches within Rockland Valley, by and through their attorney, John B. Kugler, and protest the applications of Grant Udy and Sons as follows:

I.

The proposed applications and diversions will reduce and adversely affect the existing water rights of water users in the Rockland Valley.

II

The diversion of water as sought in the above applications has or will result in reduction of stream flow now decreed to the water users above named and other water users of the same class, which uses have been continuous through said users and their said predecessors for more than twenty years.

III.

The applicants have heretofore drilled wells and appropriated waters in violation of the permit and in violation of the laws of the State of Idaho and are not fit and proper parties to be granted appropriation rights.

IV.

The applicants have at all times heretofore willfully encroached upon and invaded existing water rights of protestants

and have willfully, without authority from the Department of Water Resources of the State of Idaho, constructed dams for ponding purposes and drilled wells and are now utilizing the same.

WHEREFORE, Protestants pray that the applications be denied and that the Department issue immediate cease and desist orders directing applicant to refrain from diverting waters, pumping the wells or ponding of waters in the areas which are the subject matter of the application.

JOHN B. RUGLER
Attorney for Protestants

Affidavit of Publication

STATE OF IDAHO } s.s.
COUNTY OF POWER }

Phyllis Ringe ..... being first duly sworn

on oath, states:

That she ..... is the principal clerk of the printer ..... of the Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said County; that said newspaper has been published in said County uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 2 successive weekly issues thereof, the date of the first publication being the 1st day of Sept., 19 77

the date of last publication being the

8th day of Sept., 19 77

(Signed) Phyllis Ringe

Subscribed and sworn to before me this

9th day of Sept., 19 77

Notary Public, residing at American Falls, Idaho.

My Commission expires the

(SEAL) ..... day of ....., 19 .....

RECEIVED
SEP 12 1977
Department of Water Resources
Eastern Region Office

Legal Notice

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Grant Udy & Sons Rockland, Idaho, 83271 has on 8/15/77 submitted Application No. 41-7028 for a permit to appropriate 2.0 cubic feet per second of water from Groundwater by means of existing wells, pumps, holding ponds, within the NW¼NW¼, Sec. 23, Twp. 11S, Rge. 31E., B.M. Power County to be used from Mar. 15 to Nov. 15 for storage purposes and from Mar. 15 to Nov. 15 for irrigation purposes of 340 acres within the NE¼, N½NW¼, Sec. 22, N½NW¼, SW¼NW¼, Sec. 23, Twp. 11S, Rge. 31E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before September 18, 1977.

C. Stephen Allred
Director

Published in the Power County Press on 9/1 and 9/8/77.

MICROFILMED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that ~~Grant Udy & Sons~~

~~Rocklar 1, Idaho 83271~~

has on ~~8/15/77~~ submitted Application No. ~~41-7028~~

for a permit to appropriate ~~2.0~~ cubic feet per second acre feet per annum

of water from ~~Groundwater~~

by means of ~~existing wells, pumps, holding ponds~~

within the (2 points) ~~NW¼NW¼, Sec. 23, Twp. 11S, Rge. 31E, B. M. Power County~~

to be used from ~~Mar. 15 to Nov. 15 for storage purposes and from Mar. 15 to Nov. 15~~

for ~~for irrigation purposes of 340 acres~~

within the ~~NE¼, N½NW¼, Sec. 22; N½NW¼, SW¼NW¼, Sec. 23, Twp. 11S, Rge. 31E, B. M.~~

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before ~~September 19, 1977~~.

C. Stephen Allred

Director

Published in the ~~Power County Press~~

on ~~9/1~~ and ~~9/8/77~~

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN DISTRICT

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

August 18, 1977

Power County Press
174 Idaho Street
American Falls, Idaho 83211

Re: Application For Permit No. 41-7027 - Grant Udy & Sons
41-7028 - Grant Udy & Sons

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS/dj

RECEIVED